

therefore should be revoked or suspended; that the work under the permit was not pursued with due diligence as required by the standard conditions of the permit; the additional scraping and clearing. The Commission denied the revocation request finding that it did not establish the grounds required to do so pursuant to Section 13105 of the Commissions' Regulations.

K. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of coastal development permits to be supported by a finding showing the permit, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

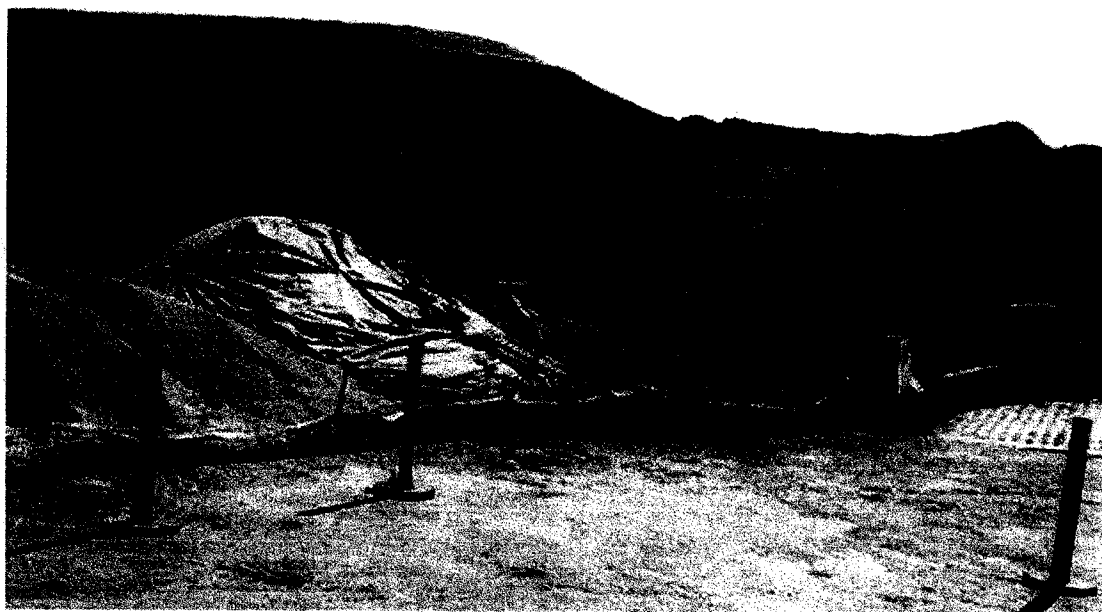
The proposed project has been conditioned to be found consistent with the biological resources, public access, water quality, and archaeology policies of the Coastal Act. The special conditions would require that 1) an open space restriction be placed on the habitat areas; 2) an offer to dedicate the proposed Coastal Sage Scrub and Native Grassland Creation habitat and Southern Tarplant and Seasonal Pond Environmental Protection Area be recorded; 3) a trail easement be offered over the public trail and over the portion of the grassland habitat area that will be subject to approved fuel modification; 4) a public access and habitat management program be developed and funding be identified to carry out these activities; 5) the applicant abide by the California Burrowing Owl Consortium guidelines for avoiding and mitigating impacts to burrowing owls during construction; 6) the CC&R's of the subdivision reflect certain requirements, primarily dealing with public access and habitat protection conditions; 7) construction and development phasing be carried out in a manner that is protective of the biological resources and assures that the public access and recreation are prioritized; 8) erosion control measures are in place to prevent impacts to the marine environment; 9) the fencing off of habitat areas and the identification of construction staging areas that will not adversely impact sensitive resources; 10) the preparation of a final habitat management plan with appropriately sized, planted and managed ESHA buffers, controls activities within those buffers, and the addition of the Southern Tarplant and Seasonal Pond Environmental Protection Area into the Plan; 11) native and non-native, non-invasive appropriate landscaping throughout the project area; 12) fuel modification within the ESHA buffer areas be regulated; 13) lighting be directed away from habitat buffer areas; 14) certain requirements relating to walls, fences, gates, safety devices and other habitat barriers be followed; 15) all subdivision streets, sidewalks, parking and trails and parks be open to the general public; 16) additional requirements on the proposed water quality management plan be observed; 17) a revised tentative tract map eliminating the proposed residual parcel on the lower bench, and revised plans showing the enlargement of the Eucalyptus Tree and Burrowing Owl ESHA buffers, public access signage and cultural resources interpretive plan along the habitat trail, revised stormdrain plan, and off-site raptor foraging habitat plans be submitted; 18) additional slope stability analysis for the revised grading plan be performed

and the developer conform development plans to geotechnical recommendations; 19) the developer assume the risks of development; 20) the developer treat the exterior appearance of structures visible from the public areas; 21) the height of the structures abutting and visible from the public trails be kept to no more than 31.5 feet, as proposed; 22) procedures for the review and approval of future development be followed; 23) requirements and procedures established herein to be followed regarding the possible discovery of additional archaeological resources during grading; 24) the reports required to be prepared in conjunction with the research, investigation and salvage of ORA-83 and curation of the artifacts recovered from the archaeological site be disseminated; 25) the applicant obtain all other necessary agency approvals; 26) the applicant perform work in strict compliance with all of the special conditions of this permit and 27) applicant be informed of the Commission staff's right to inspect the site.

5-05-020(Brightwater).RevisedFindings.doc.October05

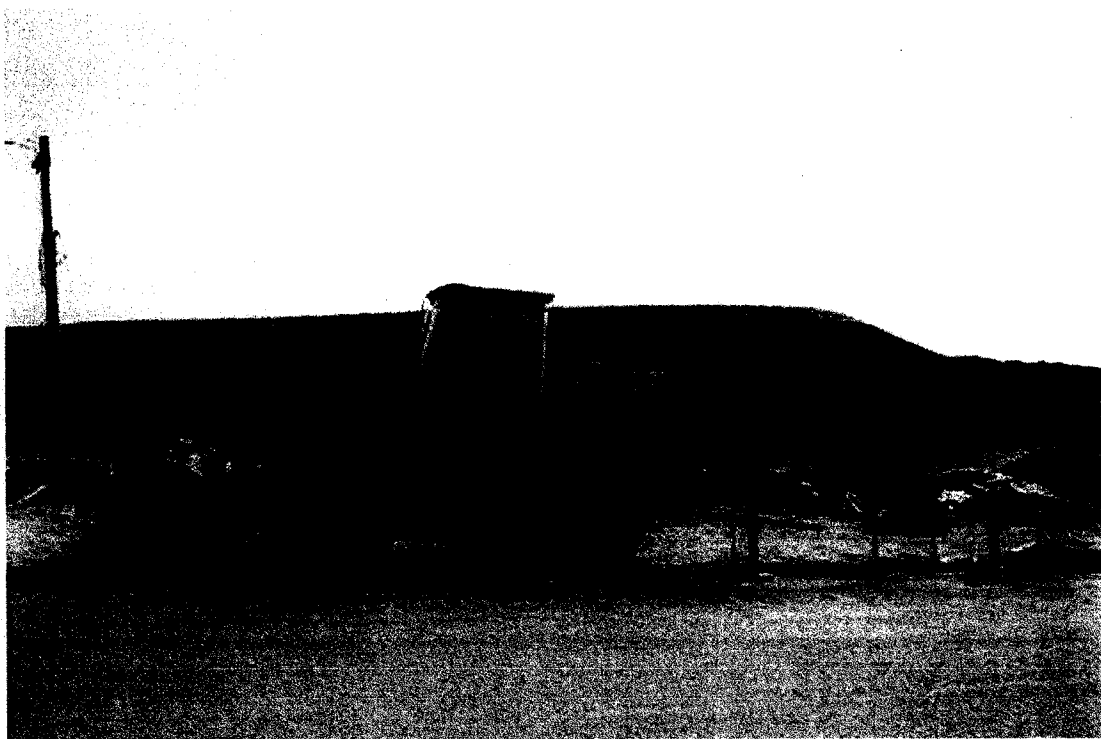
prior to issue
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with curation
established standards

D



9/11/16

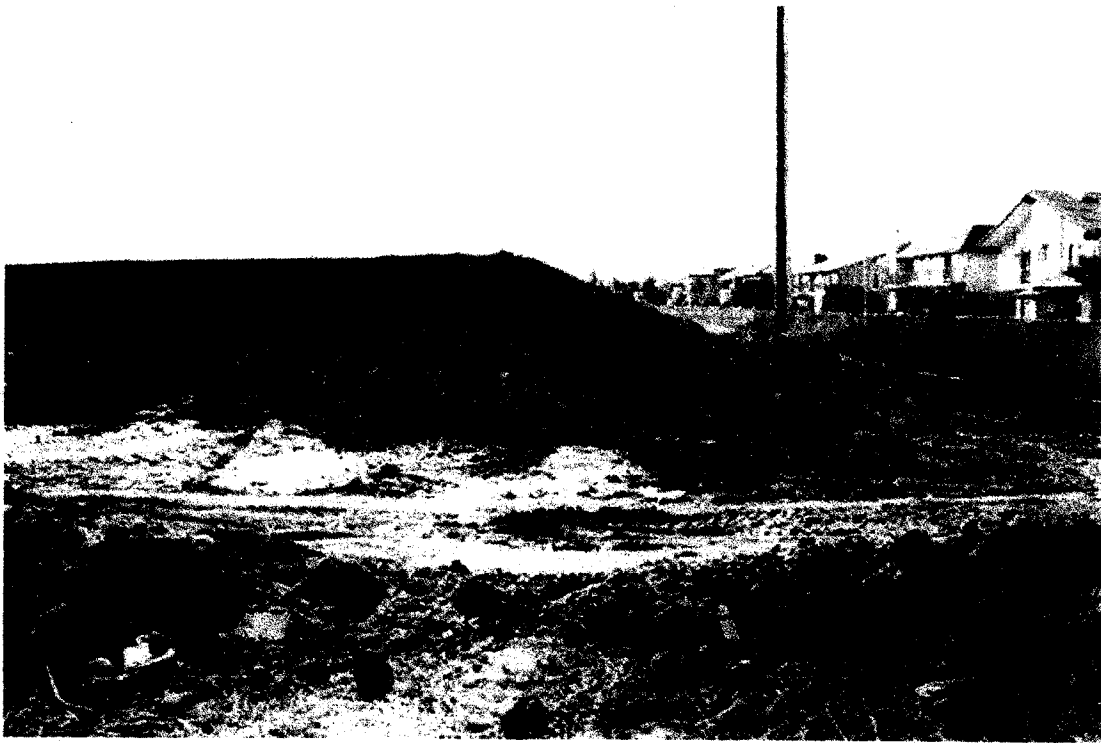
ATTACHMENT NO. 5.151



9/10/16

Im 6 - 1385 - 1

ATTACHMENT NO. 5.152



9/14/06

ATTACHMENT NO. 5.153

E

2007

November 5th: Memo

To: Ed Mountford, Hearthside Homes
David Belardes, Juaneno Band
Anthony Morales, Gabrielino Band
Prof. Paul Langenwaller
CC: Jeff Couch
Tracy Stropes

This memo is to inform you that Ed Mountford has requested that only himself and the two most likely descendants attend the meeting on Tuesday the 6th. I will, therefore, not be attending. In accordance with a request from all three of you, I am submitting a tentative listing of concerns that should be resolved at this meeting.

1. Status of SRS Archaeological Work:
 - a. There are 87 human bone concentrations that need to be reburied
 - 83 are completely removed from stretcher pedestals and pod
 - 4 remain to be removed from pods- completion expected mid-December
 - Prof. Langenwaller cannot complete his studies until the last 4 are done
 - Prof. Langenwaller will need 4-6 weeks to complete his work when the last four are done- completion expected mid-February
 - Coroner must see all 87 burials; last 4 must be completed for Coroner and examined by Langenwaller prior to Coroner's visit
 - All 87 will be laid out at once for Coroner, in all three bone trailers
 - b. There are 83 prehistoric features that were uncovered with the burials
 - All 83 features have not been processed yet—some have artifacts, some do not.
 - These include 4 cogged stones features
 - c. There are 4217+/- artifacts that were found during the grading monitoring on Ora-83
 - Only the artifacts directly associated with the burials are in the processing of being processed and prepared for reburial.
 - These include cogged stones, discoidals, charmstones and beads
 - d. There are 1622+/- artifacts that were found during the grading monitoring on Ora-85
 - Only the artifacts directly associated with the have been processed and reburied.
 - Artifacts to be processed include discoidals, charmstones and beads
 - e. There are approximately 2,000 boxes of materials [including soils samples, rock features, shell features, shell samples and animal bone] from all 30 years of excavations on Bolsa Chica Mesa in a trailer on-site.
 - These have not been culled for distribution to the County of Orange or for reburial since there has not been any electricity in this trailer.
 - f. There are over 100,000 artifacts [including debitage and other smaller items] that have been collected for the last 30 years on Bolsa Chica Mesa.
 - These have not been fully catalogued or fully analyzed.
 - Some were collected before computers were in common use and the information is not in the site database.
 - Some still have field numbers from surface collections, etc.
 - Includes cogged stones, discoidals, charmstones and beads.

ATTACHMENT NO. 5.154

2. Hearthside Homes is requesting a December 1st Reburial of Human Bone only with whatever burials are completed. If some are not completed, they are requesting that the remaining pods be reburied at that time.
3. Hearthside Homes is requesting a Second Reburial of all other materials at a later date- to be determined- when funding is available.
4. The Gabriellino are requesting that DNA be conducted on some artifacts and individual, isolated teeth gathered from the site.
 - The Juaneno are opposed to DNA studies.
 - The Native American Heritage Commission has approved the project.
 - Hearthside has approved the project in concept only.
 - SRS is donating funds to aid in the artifact DNA studies.
5. The Juaneno are requesting that the artifacts be donated to the Blas Aguilar Adobe for safekeeping.
 - The Gabriellino prefer reburial of artifacts.
 - The County of Orange has a legal agreement for the artifacts from all excavations [Ora-83 only].
6. The Juaneno are requesting a donation of funds to help establish displays in the Blas Aguilar Adobe.
 - The County of Orange will display materials from the site for a full-year period with rotating displays.
 - SRS will donate the displays from the County Courthouse exhibits to the Blas Aguilar when they are rotated out.
 - SRS will donate slide shows and posters prepared for academic presentations about the site to the Blas Aguilar when completed.
7. SRS has legal obligations to the Native American Heritage Commission, California Coastal Commission and the County of Orange, the Native American Heritage Commission:
 - to complete the human bone analyses, feature analyses, artifact analyses, and other material analyses;
 - to cooperate with the Orange County Coroner's representative by fully disclosing all human bone from the Mesa and offering these materials for inspection;
 - to rebury the human remains and associated materials according to the wishes of the Native Americans;
 - and to produce a series of catalogues and final interpretative reports
 - [cf. CEQA, CCC Special Condition of Approval #23, County of Orange Development Requirements].

ORANGE COUNTY SHERIFF-CORONER

F 4

MICHAEL S. CARONA, SHERIFF- CORONER

JURISDICTIONAL INQUIRY REPORT

Report Date: 08/08/2002

NAME OF DECEASED (LAST, FIRST MIDDLE) Bones , Human Ancient		CALL DATE AND TIME 06/13/2002 16:30		TYPE Jurisdictional Inq.		CASE NUMBER 02-03972-GA	
CORONER INVESTIGATOR Alex C. Gassler		REPORTED BY Paul Langenwalter		REPORTING AGENCY Scientific Resource Surveyor		REFERENCE NUMBER	
LOCATION OF DEATH Dig site		ADDRESS (STREET, CITY, STATE, ZIP) AT RESIDENCE <input type="checkbox"/> 17201 Bolsa Chica Road, Huntington Beach, CA 92649				COUNTY Orange	
DATE AND TIME OF DEATH 06/12/2002 12:30 Found		DATE OF BIRTH		AGE		GENDER Unknown	
RESIDENCE (STREET, CITY, STATE, ZIP) N/A, , CA				COUNTY Orange		RACE Not Applicable	
MARITAL STATUS		LEGAL NEXT OF KIN				SOCIAL SECURITY NUMBER	
						TELEPHONE NO.	
ADDRESS (STREET, CITY, STATE, ZIP)				OCCUPATION			
NOTIFIED BY				METHOD		DATE AND TIME	
<input type="checkbox"/> FOUND BY <input checked="" type="checkbox"/> PRONOUNCED BY		AGENCY/RELATIONSHIP		PA CASE <input type="checkbox"/>			
IDENTIFIED BY Paul Langenwalter		METHOD Anthropology		DATE AND TIME 06/12/2002 12:30			
ATTENDING PHYSICIAN		ATTENDING PHYSICIAN ADDRESS /PHONE					
MORTUARY		RELEASE DATE		TIME			
CIRCUMSTANCES OF INQUIRY These are founds bones at a known OC archeological dig site found in close proximity to other previous finds.							

ATTACHMENT NO. 15.156

ORANGE COUNTY SHERIFF
CORONER DIVISION



CASE NOTES

Case Number: 02-03972 - GA

DECEDENT NAME: Bones , Human Ancient

DATE OF DEATH: 06/12/2002

Date, Time And Initials On All Entries

SUPV/MGT CASE REVIEWS: Reviewed cleared for filing

6/14/02 2320 LY

SCENE:

On 06/14/02 at 0850 hours I arrived at archaeological site ORA-83 and was met by archaeologist Paul Langenwalter. Per Langenwalter, the entire area was a known burial site within the precincts of ORA-83, and past discoveries included isolated human remains and burials. The isolates had been discovered in a large area that was currently under grading and controlled construction, and two bulldozers were observed working at the site. The overall area was labeled MAC (mechanically assisted collection) 6, and feature numbers had not yet been assigned to the isolates. Instead, each isolate was assigned a tentative MAC 6 number that will later be given a feature number. The material of each isolate was covered with a white cloth that was then covered and protected by a large black plastic container. The area around the isolate was taped off by bright orange tape, and per protocol the isolates were flagged and active grading continued around the material.

- MAC 6-1: Consisted of small limb bone fragments, with not a lot available for formal identification. Per Langenwalter, the pattern of diagenesis for the wall of the bone was typical of human burial remains from this area and time period, and manganese staining was observed on the bone fragments. An associated chert flake was found approximately 1-2 feet away.
- MAC 6-2: Consisted of a human skull, the top having been sheared off during grading. Associated shell fragments were scattered around the skull portion.
- MAC 6-3: Consisted of loose bone fragments, possibly a second portion of skull also sheared due to grading. The skull was still deeply embedded in the soil and it was not discernable if it was the top or bottom of the skull.
- MAC 6-4: Interesting because it was at a different level from the other discovered isolates and in different soil. These isolates were possibly from an earlier time period, and consisted of a portion of sheared skull with additional small, loose bone fragments. A contemporary swig of sage and yarn had been placed near the bones as an offering by Native American monitors present on the site.
- MAC 6-5: Consisted of bone fragments, tentatively identified by Langenwalter as human humeral shaft.
- MAC 6-6: Consisted of a bone fragment that was possibly mammal, not necessarily human, per Langenwalter. The cortical pattern was ambiguous and until the bone was cleaned in the lab Langenwalter was reluctant to give an opinion. A contemporary tobacco offering had been placed near the bone fragment by Native American monitors present on the site.
- MAC 6-7: [MAC 6-6 and MAC 6-7 were flagged together as one group, though considered separate isolates.] Consisted of small bone fragments exhibiting manganese staining. A contemporary tobacco offering had been placed near the fragments by Native American monitors at the site.
- MAC 6-8: Consisted of several small, loose, ambiguous bone fragments; very little material present. Per Langenwalter, preservation matched burial rather than non-burial characteristics.
- MAC 6-9: Consisted of very small bone fragments, not yet identified as human or non-human. (06/14/02 22:45 BU)

EVIDENCE COLLECTED BY / DISPOSITION:

CRIMINAL HISTORY/LAW ENFORCEMENT CONTACTS:

PMD(S): (NAME, ADDRESS, PHONE & DATES):

MEDICAL HX:

SURGERIES: (DATES):

INFORMANTS: (NAME, RELATIONSHIP, ADDRESS & PHONE):

Paul Langenwalter, Forensic Anthropologist, Scientific Research Surveyor, (562) 943-4813

CONTROLS DISPOSITION OF DECEDENT: (NAME, RELATIONSHIP, ADDRESS & PHONE):

ADDITIONAL KIN: (NAME, RELATIONSHIP, ADDRESS & PHONE):

ATTACHMENT NO. 5.157
02-2

ORANGE COUNTY SHERIFF
CORONER DIVISION



CASE NOTES

Case Number: 02-03972 - GA

DECEDENT NAME: Bones , Human Ancient

DATE OF DEATH: 06/12/2002

Date, Time And Initials On All Entries

STATEMENTS: (NAMES, DATES & TIMES):

~~6-13-02~~ @ 1625 hrs. Per P. Langenwalter. At est 1230 hrs today at dig site #ORA-83, during grading, the crew came across some ancient human bone remains. They consist 2 skull fragments and 3 individual bone features (long bones) and 2 probable with bone features. Today in the late morning and early afternoon 2 more bone fragments were found as well. This is a new area at an old excavation site that is currently being graded; no grid coordinates have been assigned. This new area is known to have human remains; previous remains have been found in this area and are preserved in the same manner as the previous remains have been found. The bones found today and yesterday were found an est 10-30 meters from the old known dig site. There is not a problem if Dep Burch wants to come out and evaluate the site. Her contact person is Kevin Hunt. 6-13-02 @ 1700 hrs (GA)

On ~~06/14/02~~ at 0730 hours I contacted Paul Langenwalter of Scientific Research Surveys. Per Langenwalter, the human bones were found at ORA-83, in an area currently being graded. At this point seven different bone isolates have been identified. One of the isolates includes a skull that had been sheared and exposed in the grading process. The other isolates contain fragments of large and small human limb bones. Each area has been flagged off and will be excavated using conventional archaeological techniques. Two of the isolates were discovered yesterday, and Langenwalter has not yet had a chance to examine them. Per Langenwalter, all the material is consistent with ancient human remains, and the monitors from the Most Likely Descendants have examined the material *in situ*. I arranged to meet Langenwalter at the site at approximately 0830 hours this morning. (06/14/02 07:43 BU)

PA STATEMENTS: (NAMES, DATES & TIMES):

FOLLOW UP REQUEST & ACTIONS TAKEN:

On ~~06/14/02~~ at 2320 hours I contacted the Native American Heritage Commission and left a message for Rob Wood on the answering machine; I notified him I had responded to the site and had not found anything of modern forensic significance. (06/14/02 23:24 BU)

CASE DEPUTY ACTIONS:

~~6-13-02~~ Case number was issued and Dep BU will respond to dig site location 6-14-02 in am hrs. (GA)
6-13-02 @ 2200 hrs. Native American Heritage Commission was contacted, left voice mail with Gloria. (GA)

NOTIFICATIONS (WHO NOTIFIED, DATE & TIME):



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Vice President
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Marinka Horack

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ENDORSEMENTS

Amigos de Bolsa Chica
Algalita Marine Research
Foundation
Anza Borrego Foundation
Bolsa Chica Wetlands Land
Trust
City of Huntington Beach
Friends of Harbors,
Beaches and Parks
Huntington Beach
Wetlands Conservancy
Huntington Beach Tomorrow
Orange Coast League of
Women Voters
Orange County
Coastkeeper
Peninsula Open Space Trust
Sea and Sage Audubon
Sierra Club
Angeles Chapter
Surfrider Foundation

February 11, 2008

TO: Lelonnie
Orange County Coroner Office
714-647-6122

FROM: Flossie Horgan
Phone number 714-846-1001
Email bclandtrust@verizon.net

714-536-7262

RE: human remains from archeological site Bolsa Chica

This request is for the total number of human remains found on the Bolsa Chica mesa in Orange County, California and reported to the Coroner's office.

This request is for the following time frames
January 1, 1990- February 1994
And
January 1994-January 2000
And
January 2000- January 2002
And
January 2002- present

This request includes but is not limited to all records of human remains found on the archeological sites known as ORA 83 and ORA 85. ORA 85 information may be under a housing development called Sandover by Hearthside homes ORA 83 information may be under a housing development called Brightwater by Hearthside Homes

Please respond by email (bclandtrust@verizon.net)
Or
Address below

Thank you for prompt attention to this matter.

ORANGE COUNTY SHERIFF – CORONER DEPARTMENT

FAX COVER SHEET

TO: Flossie Horgan PHONE: FAX: 714 536-7262

ORGANIZATION Bolsa Chica Land Trust

FROM: Le'Lonnie PHONE: (714) 647-7400 FAX: (714) 647-6122

DATE: 02/21/08 NUMBER OF PAGES (+COVER) 7

CORONER CASE/NAME: Several Indian or ancient bones cases

CLASSIFICATION OF DEATH: 02-03972-6A

ITEM(S) FAXED: TOX MICRO VOD NEURO

NEUROMICRO CI SUMMARY X

NOTES:

WARNING/CONFIDENTIAL

This facsimile transmission constitutes a confidential communication intended **only** for the addressee indicated above. Please notify us as soon as possible at the telephone number shown above of any error in transmission. Thank you for your cooperation.

ATTACHMENT NO. 02-5160

ORANGE COUNTY SHERIFF-CORONER

CORONER DIVISION

INVESTIGATIVE WORKSHEET

Report Date: 4/14/2008

NAME OF DECEASED (LAST, FIRST MIDDLE) BONES, Human - ancient indian		CALL DATE AND TIME 04/27/2000 20:35		MANNER Jurisdictional Inq.		CASE NUMBER 00-02791-LY	
CORONER INVESTIGATOR Joseph D. Luckey		REPORTED BY		REPORTING AGENCY		REFERENCE NUMBER	
LOCATION OF DEATH FND <input type="checkbox"/> ER/OP <input type="checkbox"/> IP <input type="checkbox"/> ORA#83		ADDRESS (STREET, CITY, STATE, ZIP) AT RESIDENCE <input type="checkbox"/> Bolsa Chica Ecological Reserve, , California				PHONE	
DATE AND TIME OF DEATH 04/27/2000 14:00 Found		DATE OF BIRTH		AGE		GENDER Unknown	
NAME AKA:		RESIDENCE (STREET, CITY, STATE, ZIP)				RACE Not Applicable	
MARITAL STATUS		SOCIAL SECURITY NUMBER		OCCUPATION / EMPLOYER			
<input type="checkbox"/> FOUND BY <input type="checkbox"/> PRONOUNCED BY		AGENCY/RELATIONSHIP		PROPERTY COLLECTED? <input type="checkbox"/>		PA CASE <input type="checkbox"/>	
IDENTIFIED BY		METHOD		DATE AND TIME		DL STATE / NUMBER	
LOCATION OF INCIDENT AT WORK <input type="checkbox"/>		ADDRESS (STREET, CITY, STATE, ZIP)				COUNTY Orange	
INJURY DESCRIPTION				INJURY DATE/TIME			
INVESTIGATING/LAW ENFORCEMENT AGENCY		REFERENCE NUMBER		OFFICER			
MORTUARY		CORONER AUTOPSY? No		BODY EXAMINATION DATE/TIME		RELEASE DATE AND TIME	
ATTENDING PHYSICIAN		ATTENDING PHYSICIAN ADDRESS				ATTENDING PHYSICIAN PHONE	
PHOTOS TAKEN? No		ADMITTED FROM				ADMITTED FROM DATE/TIME	
HEIGHT		WEIGHT		EYE COLOR		GLASSES	
HAIR COLOR		HAIR TYPE		HAIR LENGTH		FACIAL HAIR	
LIVIDITY		RIGOR		COMPLEXION		TEETH	
SCARS		MARKS		ENVIRON. TEMP.		CALOR	
TATTOOS		CLOTHING					
SUMMARY Received a call reporting the discovery of ancient human bones at the ORA#83 site. Case number issued.							

ATTACHMENT NO. 5.161

4/27/00-1

ORANGE COUNTY SHERIFF
CORONER DIVISION



FOLLOW-UP NOTES

Case Number: 00-02791 - LY

DECEDENT NAME: Bone, Bone

DATE OF DEATH: 04/27/2000

Date, Time And Initials On All Entries

SUPV/MGT CASE REVIEWS: Reviewed/cleared for filing

5/10/00 1810 LY

SCENE: ORA#83

INFORMANTS: (NAME, RELATIONSHIP, ADDRESS & PHONE): Paul Langenwalter ph# 562-943-4813; ORA#83.

CONTROLS DISPOSITION OF DECEDENT: (NAME, RELATIONSHIP, ADDRESS & PHONE):

STATEMENTS: (NAMES, DATES & TIMES): 4/27/00 2035 hrs. I received a call from Mr. Paul Langenwalter at the site of the discovery of ancient human bones. He stated the discovery was approx 100 meters from the last such find in the area, but it is much closer to ancient human remains discovered in 1980's and last year 1999. He was unable to examine the bones and determine if they were infact human until this hour. The subject bone was described as a dislodged femur shaft. The bone was left in the possession of Mr. William Larson at the site. LY

4/27/00 2050 hrs. I contacted MA and notified him. He requested I leave word for the day shift WC to contact Larson in the morning in regards to rolling out to the site. LY

4/27/00 2100 hrs. I attempted to recontact both Paul Langenwalter at 562-943-4813 (busy signal) and William Larson at 562-967-9976 (bad phone #) and was unable to. LY

FOLLOW UP REQUEST & ACTIONS TAKEN: Contact Paul Langenwalter or William Larson about responding to the discovery site. LY.

4/28/00 @ 0820

I attempted to contact Paul Langenwalter but his daughter answered the phone. She told me that her father was busy at the moment. I left my name and phone number with her. (TO 4/28/00 @ 0825)

4/28/00 @ 0825

I attempted to reach William Larson but found that the number listed above was a bad number. (TO 4/28/00 @ 0825)

4/28/00 @ 0830

I spoke to Gayle McNolty of the Native American Heritage Commission and notified her of this find. I told her that we would more than likely role out to the site but we are awaiting a call back from Paul Langenwalter to confirm the accessibility to the find. She asked that we call her back once we confirmed that the remains were indeed of Native American Origin. (TO 4/28/00 @ 0830)

4/28/00 @ 1135

I attempted to call Paul Langenwalter at the number provided above and received only a busy signal. (TO 4/28/00 @ 1135)

4/28/00 @ 1205

I left a voice message at Paul Langenwalter's residence requesting that he call this division in reference to the find. (TO 4/28/00 @ 1210)

4/28/00 @ 1215

I attempted to contact Dr. Judy Suchey. I received no answer at her cell phone. Her pager was no longer in service. So I left a voice message on her voice mail system at her residence. (TO 4/28/00 @ 1215)

ATTACHMENT NO. 5.162

4/27/00 -2

**ORANGE COUNTY SHERIFF
CORONER DIVISION**



FOLLOW-UP NOTES

Case Number: 00-02791 - LY

DECEDENT NAME: Bone, Bone

DATE OF DEATH: 04/27/2000

Date, Time And Initials On All Entries

4/28/00 @ 1225

I attempted to contact Scientific Resource Surveys (SRS) at 909 767-2555 but only got an answering machine. I left a voice message requesting a call back on accessibility to the remains. (TO 4/28/00 @ 1230)

4/28/00 @ 1315

I received a telephone call from William Larson (562 697-9976) who informed me that the remains were currently locked in an office onsite at ORA#83. The site had been closed down after the find last evening and would not be reopened until 5/1/00 at 0700 hours. I told him that we wanted to have our Forensic Anthropologist and a Deputy Coroner respond to the site on Monday 5/1/00 and examine the find.

He indicated that the find consisted of a femur/long bone. The site where the remains were found appears to have more remains just below the location where the long bone was found. (TO 4/28/00 @ 1315)

Awaiting a call from Dr. Judy Suchey concerning availability to view the site and the find. Ask her if she would be available to go to the site on Monday 5/1/00 morning. (TO 4/28/00 @ 1330)

4/28/00 @ 1550

I received a call back from Dr. Suchey who indicated that she would be able to respond to the site 5/1/00 @ 1100 hours. She said that she would come to FSC and drive to the site with the assigned Deputy Coroner. (TO 4/28/00 @ 1555)

5/1/00 @ 1130 hrs - Dr. Suchey and I drove to site ORA#83 and arrived at 1200 hrs. We spoke with Mathew Dorame and Joyce Perry and they told us the bones were uncovered on 4/27/00 at 1430 hrs by Chuck Burnette (field tech). The bones were found near the site where, previously, other bones had been located. Dr. Suchey took several pictures and examined the bones and deemed them to be of no forensic value. (5/6/00 @ 1055 hrs HO)

5/17/00 @ 1605 hrs. A call was received from Paul Langenwaller reporting a discovery at 14:30 at ORA#83 of A femur shaft and long bone fragments approx. 5-7 meters from the discovery on 4/27/00 at this site. Information of this find was documented on the ancient discovery log in public records. LY

On 5/18/00 @ 0840 hours I spoke with Cathy at the Native American Heritage Commission and notified her of yesterday's find. (TO 5/18/00 @ 0840)

CASE DEPUTY ACTIONS: Entry made on the **DESIGNATED ARCHEOLOGICAL SITES** log, 5/10/00 1809 LY.

NOTIFICATIONS (WHO NOTIFIED, DATE & TIME): MA 4/27/00 2050 hrs.

ATTACHMENT NO. 5.163

4/27/00-3

DATE
&
TIME5-1-00 Examination of Skeletal Remains at ORA #83
1400

Investigator Hoag and I went to the Bolsa Chica site (ORA #83) to examine bones found in Unit Alpha 4. A femoral midshaft was found which was heavily mineralized. The bone was (1) human and (2) prehistoric.

Additional bones may be present; one fragment did show exposure right underneath the femoral shaft. We requested a map of the Bolsa Chica site/area and were told to contact:

Ed Mountford, Senior V.P.

Hearthside Homes, Inc.

6 Executive Circle, Suite 250

Irvine, CA 92614

949-250-7700

Direct 949-250-7760

FAX 949-250-7770.

The Coroner needs this map for ^{burial} site locations. Joyce Perry (949-493-0959) asked for information regarding several Native American cases held at the Orange Co Coroner facility. I explained that these cases had record of Coroner notification of the Native American Heritage Commission. I discussed the situation with Richard Rodriguez and Mr. Hoag, and R. McNally; further research and action will occur.

Judy Myers Buckley, Ph.D.
Forensic Anthropologist

ATTACHMENT NO. 5. 164/27/00-4



THE GABRIELINO TONGVA INDIANS
OF CALIFORNIA TRIBAL COUNCIL

MATHEW DORAME
TRIBAL SECRETARY

5450 SLAUSON AVENUE SUITE 151
CULVER CITY, CALIFORNIA 90230
PHONE: 714-879-4456 FAX: 562-920-9449

ATTACHMENT NO. 5.165

4/21/00-5

ORANGE COUNTY SHERIFF – CORONER DEPARTMENT

FAX COVER SHEET

TO: Flossie Horgan PHONE: _____ FAX: 714 536-7262

ORGANIZATION Bolsa Chica Land Trust

FROM: Le'Lonnie PHONE: (714) 647-7400 FAX: (714) 647-6122

DATE: 02/21/08 NUMBER OF PAGES (+COVER) 7

CORONER CASE/NAME: Several Indian or ancient bones *CASCS*

CLASSIFICATION OF DEATH: *00-02791-L4*

ITEM(S) FAXED: TOX _____ MICRO _____ VOD _____ NEURO _____

NEUROMICRO _____ CI _____ SUMMARY X

NOTES:

WARNING/CONFIDENTIAL

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ATTACHMENT NO. 5.166 4/27/00 -6

ORANGE COUNTY SHERIFF-CORONER

CORONER DIVISION

INVESTIGATIVE WORKSHEET

Report Date: 4/14/2008

NAME OF DECEASED (LAST, FIRST MIDDLE) BONES, Human - ancient indian		CALL DATE AND TIME 04/04/2000 12:30		MANNER Jurisdictional Inq.		CASE NUMBER 00-02277-RO	
CORONER INVESTIGATOR Richard L. Rodriguez		REPORTED BY Dr. Paul Langenwaller		REPORTING AGENCY Archeologist for SRS Const.		REFERENCE NUMBER	
LOCATION OF DEATH FND <input checked="" type="checkbox"/> ER/OP <input type="checkbox"/> IP <input type="checkbox"/> Construction site		ADDRESS (STREET, CITY, STATE, ZIP) AT RESIDENCE <input type="checkbox"/> ORA #83 at Bolsa Chica Mesa, Irvine, California				PHONE	
DATE AND TIME OF DEATH 03/30/2000 0:00 Found		DATE OF BIRTH		AGE		GENDER Unknown	
NAME AKA:		RESIDENCE (STREET, CITY, STATE, ZIP)				RACE Not Applicable	
MARITAL STATUS		SOCIAL SECURITY NUMBER				RESIDENCE PHONE	
OCCUPATION / EMPLOYER		PROPERTY COLLECTED? <input type="checkbox"/>		PA CASE <input type="checkbox"/>			
<input checked="" type="checkbox"/> FOUND BY <input type="checkbox"/> PRONOUNCED BY SRS		AGENCY/RELATIONSHIP		DATE AND TIME 04/07/2000 15:15		DL STATE / NUMBER	
IDENTIFIED BY Dr. Suchey		METHOD Anthropology		COUNTY Orange			
LOCATION OF INCIDENT AT WORK <input type="checkbox"/>		ADDRESS (STREET, CITY, STATE, ZIP)					
INJURY DESCRIPTION				INJURY DATE/TIME			
INVESTIGATING/LAW ENFORCEMENT AGENCY		REFERENCE NUMBER		OFFICER			
MORTUARY		CORONER AUTOPSY? No		BODY EXAMINATION DATE/TIME		RELEASE DATE AND TIME	
ATTENDING PHYSICIAN		ATTENDING PHYSICIAN ADDRESS				ATTENDING PHYSICIAN PHONE	
PHOTOS TAKEN? No		ADMITTED FROM				ADMITTED FROM DATE/TIME	
HEIGHT		WEIGHT		EYE COLOR		GLASSES	
HAIR COLOR		HAIR TYPE		HAIR LENGTH		COMPLEXION	
LIVIDITY		RIGOR		TEETH		CALOR	
SCARS		MARKS		CLOTHING			
TATTOOS							
<p>SUMMARY</p> <p>The Coroner's Office was notified of possible human remains discovered at a construction site. Dr. Suchey, Forensic Anthropologist, responded to the site with Deputy Coroner Rodriguez and determined the remains were of non forensic value and consistent with ancient human remains. The bones were released to the Native American Heritage Commission.</p>							

ATTACHMENT NO. 5-167-1

**ORANGE COUNTY SHERIFF
CORONER DIVISION**



FOLLOW-UP NOTES

Case Number: 00-02277 - RO

DECEDENT NAME: BONES, Human

DATE OF DEATH: 03/30/2000

Date, Time And Initials On All Entries

SUPV/MGT CASE REVIEWS:

04/08/00: I reviewed this case and noted a handwritten report from Dr. Suchey. She indicates that human determination was made from molar morphology, long bone shafts that were present. Prehistoric status was determined from extreme wear on the molars. She also indicated that additional information will be provided by Dr. Langenwalter following completion of the excavation. This inquiry is complete, as the remains have no forensic value and the Native American Heritage Commission has been notified. (MA)

SCENE:

EVIDENCE:

PMD(S): (NAME, ADDRESS, PHONE & DATES):

MEDICAL HX:

SURGERIES: (DATES):

INFORMANTS: (NAME, RELATIONSHIP, ADDRESS & PHONE):

CONTROLS DISPOSITION OF DECEDENT: (NAME, RELATIONSHIP, ADDRESS & PHONE):

ADDITIONAL KIN: (NAME, RELATIONSHIP, ADDRESS & PHONE):

STATEMENTS: (NAMES, DATES & TIMES):

On 03-30-00 1755 Dep. Luckey received a call from Paul Langenwalter, reporting findings of possible Native American Human Remains, which consisted of long bone fragment and a vertebra. Paul was calling from ORA #83 at Bolsa Chica Mesa. The bones were found in the side wall of trench #8 of the site. The site that day was dark until Monday 04-03-00. He had not made an inspection of the bones yet to determine if they were human or animal. The find is approximately 100 yards north of the most recent find at ORA #83. Asst. Chief McAnally was notified of the circumstances. 04-04-00 1458 ES

On 04-04-00 1220 hours, Asst. Chief McAnally requested I follow-up on the above circumstances. I contacted Paul Langenwalter (562-943-4813) who did a preliminary examination of the remains at the site. He was able to observe the inner part of the bone that appeared to be a long bone. He stated, based on his examination, that it was a large mammal, but could not rule out a deer. He stated the diagnosis is consistent with the preservation of other human remains found at the site. He feels they are consistent with the other Indian Remains found at the site. He did not disturb the site, and planned on a more extensive examination on 04-05-00. 04-04-00 1510 ES

04-04-00 1430 hours, I advised Asst. Chief McAnally of the above circumstances. He requested further inquiry into the initial exam and that Dr. Suchey be advised of the situation. 04-04-1511 ES

04-04-00 1500 hours, I contacted Dr. Suchey regarding the above circumstances. She received a call from Paul Langenwalter regarding his initial examination. She understood it was presumed human, but that he should continue with his excavation if there is any question. Dr. Suchey stated Paul is very competent regarding the distinction between human vs non-human, and encouraged further examination. She will contact Paul regarding the findings. She agreed with Asst. Chief McAnally decision regarding coroner involvement if any question. She will contact Paul regarding his findings and call the Coroner's division back once she has spoken with him. 04-04-00 1518 ES

4/4/00 @ 16:35 received call from J. Suchey she has been off the phone with Paul Langenwalter who she says is a very capable. He is going to the site Wednesday morning. Judy will fax a copy of what Langenwalter's procedure will be to the office. I received this fax and gave it to the Asst. Chief McAnally who will follow-up with Dr. Suchey. 4/4/00 17:21 (EL)

04/04/00 1720: I spoke to Dr. Suchey by phone. She said her recommendation is that Dr. Langenwalter continue with the excavation to the point he is able to determine if human. If the bones are human, he should stop and notify coroner. Dr. Suchey is available to

ATTACHMENT NO. 5.168 00-2

**ORANGE COUNTY SHERIFF
CORONER DIVISION**



FOLLOW-UP NOTES

Case Number: 00-02277 - RO

DECEDENT NAME: BONES, Human

DATE OF DEATH: 03/30/2000

Date, Time And Initials On All Entries

respond any time Thursday with a deputy coroner if necessary. (MA)

FOLLOW UP REQUEST & ACTIONS TAKEN:

Contact Dr. Langenwalter and advise him to stop the dig and notify us if he recognizes the bones are human. A deputy coroner and Dr. Suchey will respond if human and handle per established policy. 04/04/00 1730 (MA)

4/7/00 @ 1000

I attempted to contact Paul Langenwalter per Assistant Chief's directive. I left a voice message requesting he contact this division with an update on the remains. (TO 4/7/00 @ 1005)

4/7/00 @ 12196

I received a call back from Paul Langenwalter who said that he has determined that the remains discovered on 3/30/00 were indeed human. Wednesday 4/5/00 crews excavated and exposed a skull, limb bone, a jaw with teeth and a left foot. There were prehistoric artifacts uncovered along with the remains which included an abrading stone. The wear on the teeth were consistent with prehistoric specimens. It was determined that the remains were prehistoric Native American remains. The Native American Commission was advised and has had representatives on sight the past few days. The remains were in the process of being further exposed. There is no building construction ongoing. The excavation at this point is purely of an archeological nature. He anticipates that the excavation will conclude this afternoon along with the removal of the remains by the Native American Council members. Dr. Judy Suchey has been made aware of the situation. (TO 4/7/00 @ 1245)

4/7/00 @ 1300

I spoke to Dr. Judy Suchey via her cell phone and requested she respond with one of our Deputies to the excavation site. She agreed but said that she would meet the responding Deputy at FSC and proceed with them to the site. (TO 4/7/00 2 1305)

4/13/00 @ About 0830

I received a telephone call from Gayle of the Native American Heritage Commission inquiring into the status of site ORA#83. I told her that Dr. Suchey and a Deputy from our division went out to the site last week and confirmed that the remains were of no Forensic Value. She seemed upset and asked why she was not notified of the findings. I told her that Paul Langenwalter relayed to me during my conversation with him on 4/7/00 that Native American Commission representatives were at the site during the excavation and were aware of the findings. (TO 4/13/00 @ 0950)

4/13/00 @ 0955

Per MA's direction, I called Paul Langenwalter to get the names of the individuals he notified and were present from the Native American Commission. Paul's daughter answered and said that Mr. Langenwalter was not available at the time and would not be in until sometime this afternoon. I left a message for Mr. Langenwalter to contact FSC and ask for the Watch Commander. (TO 4/13/00 @ 0955)

4/13/00 @ 1055

I received a call back from Paul Langenwalter who said that he had contacted and was dealing with the following "tribal" representatives: Joyce Perry, David Bollardy, Nation Ponva representative Gabriel Alenia, and the onsite representative was Robert Dorme. I asked specifically if he had contacted the Native American Heritage Commission and he said he had spoken only to those individuals listed above. He knows nothing about the Native American Heritage Commission. (TO 4/13/00 @ 1100)

CASE DEPUTY ACTIONS:

On 04/07/00 Deputy Rodriguez responded to the scene with Dr. Suchey. Dr. Suchey examined the remains and confirmed they were of no forensic value and consistent with ancient human. (MA)

04/07/00 @ 1355

I received instructions from Assistant Chief R. MacAnally to assist and escort Dr. Judy Suchey, Forensic Anthropologist to a site know as Bolsa Chica Mesa, where skeletal remains had been unearthed during construction. Prior information had been received in the coroner's office on 03-30-00 of this find that the remains were of possible Native American Indian. A case number was assigned, however, the case had not been assigned an investigator, pending the examination of Dr. Suchey. This area has been given a site area

ATTACHMENT NO. 5.169 00-3

**ORANGE COUNTY SHERIFF
CORONER DIVISION**



FOLLOW-UP NOTES

Case Number: 00-02277 - RO

DECEDENT NAME: BONES, Human

DATE OF DEATH: 03/30/2000

Date, Time And Initials On All Entries

code # ORA #83 site trench # 8.

~~On April 7, 2000~~ Dr. Suchey and myself responded to the above mentioned location at 1435 hours, arriving at Bolsa Chica Mesa at 1505 hours. Upon our arrival we were met by Nancy A. Whitney-Desautels, Director of Research, Scientific Resource Surveys, Inc. Phone # (714) 625-3487, who subsequently directed us to site trench #8 and at which time I noted a partially excavated site which contained partial skeletal remains. Also, present was Mr. Robert F. Dorame, Tribal Chairperson, of the Gabrielino Tongva Indians of California Tribal Council, c/b# (714) 879-4456.

Dr. Suchey examined the partially exposed remains and determined the remains were prehistoric. This was based on the examination of the molars which revealed extreme wear. For further details, refer to Dr. Judy Suchey's handwritten report cc# 00-02277-RO, page 1 of 1, 1615 hours, (Analysis of Human Skeletal Remains) 35mm Photographs of the site were taken by Dr. Suchey. We were 10-98 at 1540 hours. (RO)

On 4/13/00 at 1425 hours I officially notified Gail McNulty of the presence of native american remains.(4/13/00 1430h LL)

NOTIFICATIONS (WHO NOTIFIED, DATE & TIME):

ATTACHMENT NO. 5.170

00-4



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ENDORSEMENTS

Amigos de Bolsa Chica
Algalita Marine Research
Foundation
Anza Borrego Foundation
Bolsa Wetlands Land
Trust
City of Huntington Beach
Friends of Harbors,
Beaches and Parks
Huntington Beach
Wetlands Conservancy
Huntington Beach Tomorrow
Orange Coast League of
Women Voters
Orange County
Coastkeeper
Peninsula Open Space Trust
Sea and Sage Audubon
Sierra Club
Angeles Chapter
Surfrider Foundation

February 11, 2008

TO: Lelonnie
Orange County Coroner Office
714-647-6122

FROM: Flossie Horgan
Phone number 714-846-1001
Email bclandtrust@verizon.net

714-536-7262

RE: human remains from archeological site Bolsa Chica

This request is for the total number of human remains found on the Bolsa Chica mesa in Orange County, California and reported to the Coroner's office.

This request is for the following time frames
January 1, 1990- February 1994
And
January 1994-January 2000
And
January 2000- January 2002
And
January 2002- present

This request includes but is not limited to all records of human remains found on the archeological sites known as ORA 83 and ORA 85.
ORA 85 information may be under a housing development called Sandover by Hearthside homes
ORA 83 information may be under a housing development called Brightwater by Hearthside Homes

Please respond by email (bclandtrust@verizon.net)
Or
Address below

Thank you for prompt attention to this matter.

5200 Warner Avenue - Suite 108 - Huntington Beach, CA 92649 - (714) 846-1001
www.bolsachicalandtrust.org

ATTACHMENT NO. 5.171

00-5

ORANGE COUNTY SHERIFF – CORONER DEPARTMENT

FAX COVER SHEET

TO: Flossie Horgan PHONE: FAX: 714 536-7262

ORGANIZATION Bolsa Chica Land Trust

FROM: Le'Lonnice PHONE: (714) 647-7400 FAX: (714) 647-6122

DATE: 02/21/08 NUMBER OF PAGES (+COVER) 7

CORONER CASE/NAME: Several Indian or ancient bones cases

CLASSIFICATION OF DEATH: 00-02277-R0

ITEM(S) FAXED: TOX MICRO VOD NEURO

NEUROMICRO CI SUMMARY X

NOTES:

WARNING/CONFIDENTIAL

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ATTACHMENT NO. 5.172

00-0

ORANGE COUNTY SHERIFF-CORONER JURISDICTIONAL INQUIRY REPORT

11-66-11

NAME OF DECEASED (LAST, FIRST MIDDLE) BONES, Human (Ancient)		AKA		CASE NUMBER 99-07108-LL
INVESTIGATOR Bruce E. Lyle	REPORTED BY Nancy Desautels	REPORTING AGENCY Scientific Resources Surveys	REFERENCE NUMBER None	
CALL DATE AND TIME 11/04/1999 17:20	DISPATCH DATE AND TIME 11/05/1999 12:00	ARRIVAL DATE AND TIME 11/05/1999 12:31	RETURN DATE AND TIME 11/05/1999	
DATE AND TIME OF DEATH 11/03/1999 10:30 Found	DATE OF BIRTH	AGE	GENDER Not Applicable	RACE Not Applicable
RESIDENCE (STREET, CITY, STATE, ZIP)		UNINCORPORATED AREA <input type="checkbox"/>	COUNTY Orange	TELEPHONE NO.
MARITAL STATUS	SOCIAL SECURITY NUMBER	DRIVER'S LICENSE NO. AND STATE	OCCUPATION	EMPLOYER
LOCATION OF DEATH ORA 83/Huntington Beach AT RESIDENCE <input type="checkbox"/>				
ADDRESS (STREET, CITY, STATE, ZIP)		UNINCORPORATED AREA <input type="checkbox"/>	COUNTY Orange	
17201 Bolsa Chica Road, Huntington Beach, CA 92647				
<input checked="" type="checkbox"/> FOUND BY	<input type="checkbox"/> PRONOUNCED BY	AGENCY	DATE AND TIME	
Scientific Resources Surveys		Archeologist		
LOCATION OF INCIDENT ORA 83/Huntington Beach AT WORK <input type="checkbox"/>				
ADDRESS (STREET, CITY, STATE, ZIP)		UNINCORPORATED AREA <input type="checkbox"/>	COUNTY Orange	
17201 Bolsa Chica Road, Huntington Beach, CA 92647				
INVESTIGATING AGENCY	REFERENCE NUMBER	OFFICERS		
Orange County Coroner's Office	99-07108	Coroner Investigator D. Ralsten		
CIRCUMSTANCES OF DEATH Probable Native American remains found at development site.				
NAME OF PERSON NOTIFIED Native American Heritage Com.			RELATIONSHIP State Agency	
ADDRESS (STREET, CITY, STATE, ZIP)			TELEPHONE NO. (916) 653-4082	
NOTIFIED BY Investigator Ralsten	METHOD Phone	DATE AND TIME 11/05/1999 16:48		
LEGAL NEXT OF KIN			RELATIONSHIP	
ADDRESS (STREET, CITY, STATE, ZIP)			TELEPHONE NO.	
IDENTIFIED BY Judy Suchey, PhD	METHOD Anthropology	DATE AND TIME 11/05/1999		

ATTACHMENT NO. **5.173**

Scientific Resource Surveys, Inc.

P.O. Box 2349
Temecula, CA 92593
(909) 767-2555
(909) 767-0305 (Fax)

99-07108-LL



TRANSMITTAL

DATE: Nov. 4, 1999

TO: Bruce Lyle
Investigation Unit
Colonial Office
(714) 647-7426

FROM: Nancy Demutets (SRS - Scientific Resource Surveys, Inc.)

VIA: ☒ FAX ☐ MAIL

SUBJECT: Human Bone Fragments from Oak-83,
The Cogged Stone Site:
17201 Bolsa Chica Road
Huntington Beach, CA 92647

NOTES: Human bone fragments are within the
confines of the archaeological site and
includes 1 ca. 3" fragment of a femur,
1 ca. 3" fragment of a tibia and 18"-14"
shatter from a fibula. Id's were made
at ca. 10:30 A.M. on Nov. 4, 1999. Remains were
found ca. mid-day on Nov. 3, 1999. Id's
were made by Paul Lagerud at his
earliest availability which was today. Paul is
identifying all bone from this site: human &
other.

NO. OF PAGES: 1
(Including this page)

Huntington Beach Phone#: 625-3487

Fax#: 625-3500 ATTACHMENT NO. 5.174

CASE NOTES

DATE
&
TIME

PAGE # _____

CASE # _____



ROBERT M. BEER
Vice President
Environmental Operations

Scientific Resource Surveys, Inc.

ARCHAEOLOGY • PALEONTOLOGY • HISTORY • GEOSCIENCES
P.O. Box 2349, Temecula, CA 92593-2349
Phone 909/767-2555 Fax 909/767-0305



NANCY A. WHITNEY-DESAUTELS, PH.D.
President / Director of Research

Scientific Resource Surveys, Inc.

ARCHAEOLOGY • PALEONTOLOGY • HISTORY • GEOSCIENCES
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HEARTHSTIDE HOMES, INC.

ED MOUNTFORD
SENIOR VICE PRESIDENT

6 EXECUTIVE CIRCLE, SUITE 250, IRVINE, CA 92614
(949) 250-7700 DIRECT (949) 250-7760 FAX (949) 250-7770

ATTACHMENT NO. 5.175



SHERIFF-CORONER DEPARTMENT
COUNTY OF ORANGE, CALIFORNIA
INVESTIGATOR'S CASE NOTES

Case No. 99-07108-4
Investigator LYLE
Billing: ☐ YES ☒ NO
Reviewed By _____

CLASSIFICATION

☐ Natural - A ☐ Homicide ☐ Accident ☐ Officer Involved
☒ Natural - NA ☐ Suicide ☐ SIDS ☐ In Custody
☐ Natural - Dual ☐ Traffic ☐ Undetermined ☐ Refer to PA
☐ Consult ☐ Donor: ☐ Approached ☐ Declined ☐ Comea ☐ Other
Decedent's Name BONES, HUMAN
as ANCESTRY
☐ AKA
☐ Tentative I.D.

Address _____
City _____ Zip Code: _____
Telephone _____ Age _____ HT _____ WT _____ Hair _____ Eyes _____
Sex _____ Race _____
☐ Married ☐ Divorced ☐ Never Married ☐ Widowed ☐ Children
Occupation [Before Retirement] _____

Date of Death: 11/13/99 Time 1030 Day THURS
Place of Death 17201 BOLSA CHICA RD, HA
92647 (ORA 83)
SS# _____
Hospital ☐ ER/OP ☐ IP ☐ DOA ☐ Convalescent Hosp ☐ Board & Care

Pronounced By _____
Reporting Party NANCY DESATRELS Time 1720
Date 11/14/99 10-8 10-97 10-98
Placed Received FSC

Mortuary _____ Phone _____
Requested By _____ Relationship _____
Transport by _____ Time Called _____
Autopsy: ☐ No ☐ Coroner ☐ Private ☐ Tox ☐ Cultures ☐ SO-ID
MD Cause of Death _____

Per MD _____ Lic No: _____
Investigator _____ Date _____

☐ SUICIDE ☐ ACCIDENT ☐ HOMICIDE
☐ TRAFFIC ☐ INDUSTRIAL ☐ OTHER

Type _____
Place _____
Date _____ Time _____
Weapon _____
Ser. No. _____ Dispo _____
Registered Owner _____
Suicide Note ☐ Yes ☐ No Dispo _____
Type of Vehicle _____ License _____
Reg. Owner _____
Tow Company _____ Phone _____
Decedent: Driver _____ Pas'r _____ Pedestrian _____
Restraints ☐ Yes ☐ No ☐ Unk ☐ Yes ☐ No ☐ Unk
Deployed Air Bag ☐ Yes ☐ No Ejected ☐ Yes ☐ No
Travel Direction _____ on _____

Position in Vehicle _____
Other Vehicle _____ License _____
Travel Direction _____ on _____
Number of Persons in Decedent's Vehicle _____ Other Vehicle _____

REPORT DATE

Police Agency _____ Time PD Called _____
Officer _____ File No. _____
Investigator _____ Charges ☐ Yes ☐ No

NOTIFICATIONS

☐ CAR Record ☐ Yes ☐ No
☐ CDC ☐ DA ☐ Sids ☐ OSHA ☐ State Lic ☐ NTSB Name: _____
Name _____ Dept _____ Date _____ Time _____

Scene _____
Work _____ I.D. Case # _____
In _____
Number of Polaroid(s) Submitted _____ By _____
Physical Evidence _____
Disposition _____
Fingerprints Taken _____ By _____
Antiford By _____

NEXT OF KIN MINOR CHILD ☐

Name _____ Relationship _____
Address _____ Zip Code: _____
Bus. Phone _____
Is. Phone _____
Date _____ Time _____
Billing Party _____
Address _____ Zip Code: _____
Bus. Phone _____
Is. Phone _____

WITNESS/INFORMANTS

Name NANCY DESATRELS Phone (714) 625-3487
Address SCIENTIFIC RESOURCE SURVEYS, INC
Time _____ Phone _____
Address _____
Time _____ Phone _____

PROPERTY ☐ YES ☒ NO

☐ NOK ☐ Mortuary ☐ FSC Safe ☐ OCSD Property
Relationship _____
P.A. _____
P.A. Investigator _____

ATTACHMENT NO. 5.176

11-99-4

PRELIMINARY EXAMINATION OF BODY

ere Made _____ Time _____
 ilion of Body _____
 thing _____
 or _____
 dity _____
 inosis _____
 loos/scar _____
 by Temperature _____ Viewable: ☐ I.D. ☐ Service ☐ No
 uma (describe) _____

 or _____
EDICAL HISTORY M.D. Lic. # _____ Last Visit _____
 nding Physician _____
 lress _____ Telephone _____
 ated For _____
 is _____
 e of Operation _____ Date _____
 nited Date _____ Time _____
 ight In By _____ From _____
 lress _____
 nished By _____
 mplaints/Admit DX/Symptoms _____
 lused ☐ Yes ☐ No B.A. Level _____
 Blood ☐ Yes ☐ No Date/Time Drawn _____
 From _____ Date/Time _____

NOTES

INFORMATION RECEIVED FROM CDC
 J. BENNETT INDICATING HUMAN
 BONES FOUND AT A PREVIOUSLY
 DESIGNATED ARCHEOLOGICAL SITE.
 AT 1730 HRS I SPoke [X] XRAY
 RESULTS OF SAS. SHE TOLD
 ME BONE FRAGMENTS INCLUDING
 PORTIONS OF A FEMUR & TIBULA
 (HUMAN) WERE FOUND AT ORA
 83. BONES WERE EXAMINED
 BY PAUL LANGENWALTER (ANTHRO)
 & WERE SAID TO BE ANCIENT
 & OF NO FORENSIC VALUE. MONITORING
 ON SITE FOR JUANINO TRIBE IS
 JOYCE PENNY APPOINTED BY DAVID
 BELANDERS.

CALLED & LEFT MESSAGE FOR
 JUDY SUCHET.

DATE
&
TIME

11-5-99

Analysis of Human Remains (ORA-83)

Human remains were found in back dirt in the digging of trenches (?geological survey or exploration of site). Two midshafts of adult long bone (femur, tibia) were found and photographed. Both were clearly prehistoric, as determined by mineralization. The bone appeared similar to the remains viewed in 1993.

Judy Myers Suckey, PhD
Forensic Anthropologist



CASE NOTES

Case Number: 99-07108

11-09-7

DECEDENT NAME: BONES, Human

DATE OF DEATH: 11/03/1999

Date	Time	Initials	Comments
11/5/99	0940	LY	Spoke to Nancy Desautels at the site and she will not be there the remainder of the day. She also stated no one will be at the site until Mon. 11/8, d/t they work M-F, 10 hours shifts. I left another message on Judy Suchey's answering machine to this fact. LY
11/5/99	11:00	LY	BE informed me that Judy Suchey would be responding to the FSC and accompanying RA to the site of the dig. RA & Judy left for HB at approx 1145 hrs..LY PA
11-5-99	1633	Ra	<p>At the direction of CDC Berndt, I and Dr. J Suchey went out to 17201 Bolsa Chica Ave. leaving at 1200 hours and arriving at 1231 hours. We spoke to Robert Beer Scientific Resource Surveys, Inc 909)767-2555. He showed us the bone specimens and directed us out to site where an additional bone was in-situ. There were 3 bones along with a few fragment out and another one exposed in side wall of trench. The bone in trench wall has about 2" exposed and is about 1 1/2' - 2' down from surface. Although surrounded by browner dirt it extends into redish dirt which, R. Beer said is pre ice age. Trench was about 50 yards long about 3' wide and about 5' deep. Dr. Suchey examined the bones and determined them to be ancient PA</p> <p>R. Beer said he thought this find was not with in the boundies of ORA83 but was not sure of it. Also there were no other artifacts or tools found with the bones or in the immediate area. The normal process of digging is scooping aout 15 cm at a time. The trench was dug as a geologic survey for soil conditions. The bones were found on Wednesday(11-3-99) at unknown time. The bones were first found by an archeologist and a native american monitor at the same time. The loose bones were collected from the loose dirt next to the trench. He was unaware of who the native american monitors were. The "nearest decendent" for this site is David Belardes. The area over the find has been used as agriculture land for some 75 +/- years. RA</p> <p>I spoke to Edward Mountford with Hearthside Homes Inc. 949)250-7700. He said the area is planed to be single family homes eventualy. He said that although he did not try to call the coroners office his staff member Lucy Dunn (spelling?) called the Sheriff's office yesterday "AM" (11-4-99) to report the find, A message was left for the Sheriff to call back. After a couple hours a second call was put into the Sheriff re: the bones R/P was unaware of what transpired from then PA</p> <p>I spoke to Nancy Whitney-Desautels Scientific Resource Surveys (909)767-2555, she said the find was with in ORA83. The bones were found in the loose fill dirt about noon by native american monitor Matt Doame and SRS employee Bill Larson. SRS will now perform an excavation of area for recovery of existing bone. I instructed her that if there are any more bones found that they should call the Coroners office not the Sheriff. She seemed to understand this PA</p> <p>The three loose bones and fragments were released to Robert Beer for transfere to the Native American Heritage PA</p>
11-5-99	1648	Ra	I called the Native American Heriatge and left a message on voice mail of "Gloria" (916)653-4082 informing her of the find and of our determination of "ancient" RA

ATTACHMENT NO. 5.179

866-11

ORANGE COUNTY SHERIFF – CORONER DEPARTMENT

FAX COVER SHEET

TO: Flossie Horgan PHONE: _____ FAX: 714 536-7262

ORGANIZATION Bolsa Chica Land Trust

FROM: Le'Lonn PHONE: (714) 647-7400 FAX: (714) 647-6122

DATE: 02/21/08 NUMBER OF PAGES (+COVER) 7

CORONER CASE/NAME: Several Indian or ancient bones CASES

CLASSIFICATION OF DEATH: 99-07108-LL

ITEM(S) FAXED: TOX _____ MICRO _____ VOD _____ NEURO _____

NEUROMICRO _____ CI _____ SUMMARY X

NOTES:

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ATTACHMENT NO. 5180

SCENARIO

TRAFFIC

INDUSTRIAL

OTHER

ACCIDENT

TYPE

PLACE

ZIP CODE

DATE

WEAPON

SER. NO.

DISPO.

NO WANTS

REGISTERED OWNER

SUICIDE NOTE

TYPE OF VEHICLE

REG. OWNER

TOW COMPANY

DECEDENT

RESTRAINTS

DEPLOYED AIR BAG

TRAVEL DIRECTION

POSITION IN VEHICLE

OTHER VEHICLE

TRAVEL DIRECTION

NUMBER OF PERSONS IN DECEDENT'S VEHICLE

REPORT DATE

POLICE AGENCY

OFFICER

INVESTIGATOR

CHARGES

NOTIFICATIONS

CAR RECORD

CDC

DA

SIDS

OSHA

NTSB NAME

NAME

DEPT

DATE

TIME

PROPERTY

NOK

MORTUARY

FSC SAFE

OCSD PROPERTY

RELATIONSHIP

P.A.

P.A. INVESTIGATOR

PER MD

LIC NO.

DATE

INVESTIGATOR

MD CAUSE OF DEATH

TRANSPORT BY

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PER MD

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PHONE

RELATIONSHIP

TOX

PRELIMINARY EXAMINATION OF BODY

Name Made	Time
Position of Body	
clothing	
igor	
vidity	
venosis	
littos/scars	
Body Temperature	Viewable: <input type="checkbox"/> I.D. <input type="checkbox"/> Service <input type="checkbox"/> No
anoma (describe)	
ther	

MEDICAL HISTORY		M.D. Lic. #	Last Visit
tending Physician			
Address			
Telephone			
dated For			
sds			
pe of Operation	Date	Time	From
Initiated Date			
ought In By			
Address			
aminated By			
omplaints/Admit/DX/Symptoms			
includ	<input type="checkbox"/> Yes <input type="checkbox"/> No	B.A. Level	
M. Blood	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date/Time Drawn	
c. From		Date/Time	

ATTACHMENT NO. 5.182

NOTES

I received a call from Robert Bear who identified himself as Vice Pres. of Scientific Resources (909/767-2555). He was reporting the discovery of bones at a construction site at the southwest corner of Bolsa Chica + Los Patos in Huntington Beach. This property is owned by a developer + was not known to BE A BURIAL GROUND. This was not an archaeological site + the discovery of these bones was unexpected. The bones were discovered at about 1130hrs. today. Site monitors are Bill Larson + Lisa Woodward. The bones were found in soil deposit that is about 11,000 yrs old. Construction has been diverted to another area until determination can be made on these bones. Unk if they are even human. 1400hrs. I paged Judy Suchey Forensic Anthropologist + left a message on her home phone to call FSC regarding bones at construction site.

Call back to Robert Bear. The construction site is not enclosed + able to be secured after 1700hrs. They plan to remove the large chunk of dirt that the bones fragments are in if determination

is not made by 1700hrs. He said that if they do not do this, the bones will be taken by "activists" by morning + no one would be able to prevent this. He has tried to contact Paul Largenwalth (sp?) to examine bones. He used to be assistant of Judy Suchey + would be able to identify the bone. I told him to not disturb area of bone until further word from FSC.

Call to HSPD w/c Linker + advised of this circumstance. They will not be sending an officer out at this time. We are to keep w/c posted of progress. 1430 - paged Judy Suchey again. 1515 paged Judy Suchey again.

SEE BLUE NOTES

DATE
&
TIME

8-3-99

1625
MD

CI called for Robert Beer - Karen Williams, Admin. Asst. to Beer told me Beer had already gone for the day.

At 1700 HOURS the bones w/ surrounding dirt will be moved to a secured shed. NO one will have access to the shed after 1700 HOURS. D/T the drive / traffic time I explained I could not be at the location in 30 minutes Williams directed that the Coroner's Office call Lisa Woodward - Archaeologist at 909-323-9340 she will be on site

8-4-99 at 0730-0745 HOURS.

Bones = (1) Skull (1) Tooth

1950
8/3/99

Judy Suchey called - she was in the San Bernardino Mountains and her cell could not get out. I saw the cres by her and she will call Lisa Woodward in the morning - Dr. Suchey has an early morning appointment and will be in around noon. To pickup a copy of the work card, etc.

(cc)

8-3-99

0738

CALL FROM J. SUCHEY SHE IS TRYING TO REACH LISA WOODWARD + UPON REACHING HER WILL RESPOND TO SCENE + CALL US FROM THERE

ATTACHMENT NO. 5.183

CORONER INVESTIGATION
CASE NOTES


99-4

PAGE # 2

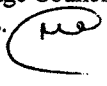
CASE # 99-05178ME

DATE
&
TIME

08/04/99
1355 hrs.

I received a call from Judy Suchey and she gave me the following information;
She went to the site where the bone fragments were found and examined them. She determined the bones to be Native American Human. SRS will take the remains to their lab to hold for the Native American Heritage Council. Suchey told SRS to call the coroner if any more bone fragments are found. SRS told Suchey the operation at that site is complete and there will be no more work done. Suchey will fax a copy of her report to FSC this evening. Suchey asked that I contact the Native American Heritage Council to advise them of her determination. SRS had contacted the Native American Heritage Council yesterday about the possibility of Native American Indian remains. 

1405 hrs.

I contacted Gail Mc Nolte at the Native American Heritage Council (916)653-4082 and advised her of the above. She will contact Robert Beer at SRS regarding the bones. 

ATTACHMENT NO. 5.184

DATE
&
TIME

3/10/99 I received a call from J. Suchey Forensic
400 Anthropologist regarding this case. She was
reporting that SRS had reburied the bones.
She said this violated the previous agreement
by SRS to hold the bones in their lab.
I asked if the Native American Heritage
had been consulted & Suchey said she did
not know. Her concern was that the bones
were re-interred w/out the coroners
permission. She will send a memo to FSC
w/ her concerns. (u)

550 Call to Gail McNolta at Native American
Heritage. She was aware of the reinterment
& it was done with her knowledge. They
have no concerns. (u)

CORONER INVESTIGATION
CASE NOTES

99-6

PAGE # _____

CASE # 99-05178-ME

DATE
&
TIME

08/13/99
1030 hrs

I spoke to Gale McNulty of the Native American Heritage Commission (916) 653-4040. She told me the Commission does not want the burial site further disturbed. They are arranging for the bones to be reinturred in a manner consistent with the involved tribal customs. The Commission's position, is the Coroner has met the responsibility of determining the bones in question have no forensic value and are prehistoric. Therefore, the Coroner has no jurisdiction to proceed in this matter.

I informed her that the Coroner has concluded his inquiry into this matter and would not be returning to the construction site.



R. McAnally
Asst. Chief Deputy

ATTACHMENT NO. 5.186

CASE NOTES

PAGE # _____

CASE # 99-05178-11

DATE
&
TIME

11-22-99

1145

REC. CALL FROM NANCY DESAUTELS 909-767-2555 AT THE BOLSA CHICA SITE ORA-83. SIMILAR BONES AS PREVIOUS HAVE BEEN DISCOVERED. THEY ARE STILL IN GROUND AND WILL NOT BE MOVED UNTIL AFTER THE HOLIDAYS, 11-29-99. PAUL LANGERWALTERS WILL BE ONSCENE IN A COUPLE OF HOURS TO EXAMINE. (ES)

1150

ADVISED BE OF CIRCS, REQUESTED JUDY SUCHEY BE ADVISED OF CIRCS. (ES)

1215

PAGED DR. SUCHEY (ES)

1320

REC. CALL FROM DR. SUCHEY, I ADVISED HER OF CIRCS: SHE STATED THAT PAUL LANGERWALTERS IS QUALIFIED TO MAKE DETERMINATION IF ANCIENT OR MODERN. PAUL DID LOOK AT PREVIOUS BONES. JUDY SUGGESTED THAT PAUL CALL SUCHEY HER WITH REPORT OR CALL FSC WITH FINDINGS. (ES)

11-23-99

1350

REC. CALL FROM PAUL LANGERWALTERS WHO EXAMINED BONES AT SITE ORA-83 TODAY. PAUL STATED THAT REMAINS THAT HE CAN ID ARE PREHISTORIC. THERE APPEARS TO BE A TIBIA SHAFT, TWO FEMURALS AND A 4TH BONE THAT IS PARTIALLY EXPOSED AND APPEARS TO BE A FIBULA. HE STATED THAT THIS IS SOMETHING THAT SHOULDN'T INTEREST US. PAUL ALSO STATED THAT SEVERAL REPRESENTATIVES FROM AMERICAN HERITAGE WERE PRESENT THIS AM DURING HIS EXAM. BONES WILL BE LEFT IN GROUND UNTIL AFTER HOLIDAYS. (ES)

ATTACHMENT NO. 5.187

Judy Myers Suchey, Ph.D.

FORENSIC ANTHROPOLOGIST

CONSULTANT TO THE MEDICAL EXAMINER/CORONER
FOR THE COUNTIES OF LOS ANGELES, ORANGE, RIVERSIDE AND SAN BERNARDINO

ME

99-8
ME

714-647-7426

PROFESSOR
DEPARTMENT OF ANTHROPOLOGY
CALIFORNIA STATE UNIVERSITY
P.O. BOX 6846
FULLERTON, CA 92834-6846

PHONES 714-524-1265
714-773-3706
FAX 714-524-5150
BEEPER 714-295-0591

FAX

To
Orange County Coroners Investigators
Meador
Ellingburgh
Lyle

Please see my report on 99-05178ME to follow.

In the past, I was always told when a Coroner's Investigator would accompany me to the site of construction bones. If I was not told that an investigator would go, it was assumed that I would go alone. In this case, in my discussions with Ellingburgh and Lyle, there was no mention of an accompanying investigator.

Next time I get a call, I will specifically ask, WILL I BE GOING WITH AN INVESTIGATOR? This will eliminate misunderstandings.

Sincerely,

Judy Suchey

ATTACHMENT NO. 5.188

Judy Myers Suchey, Ph.D.

FORENSIC ANTHROPOLOGIST

CONSULTANT TO THE MEDICAL EXAMINER/CORONER
FOR THE COUNTIES OF LOS ANGELES, ORANGE, RIVERSIDE AND SAN BERNARDINO

August 5, 1999

J M Suchey

99-9

PROFESSOR
DEPARTMENT OF ANTHROPOLOGY
CALIFORNIA STATE UNIVERSITY
P.O. BOX 6846
FULLERTON, CA 92834-6846

PHONES 714-524-1265
714-773-3706
FAX 714-524-5150
BEEPER 714-295-0591

In situ examination of skeletal remains at
construction site (Orange County Coroner Case 99-05178ME)

On August 4, I went to the construction site at the intersection of Bolsa Chica and Los Patos in Huntington Beach. At this location skeletal fragments were found underneath a Native American artifact in bulldozed area where the construction of condominiums is planned. The archaeological company involved in the mitigation is SRS (Scientific Resource Surveys). This location is near the former archaeological site CA-Ora-83 where I did an in situ examination of remains on October 12, 1993. I do not have a Coroner's case number in my file for that visitation but I have a one page report with attachments.

At the site on August 4 I talked with Lisa Woodward (of SRS) 909-323-9340 who explained to me the situation surrounding the skeletal fragments. I identified them as human (based on the left orbit--largely zygomatic and incisor tooth); prehistoric (based on severe dental attrition on the tooth, coloration and mineralization of bone). The remains are extremely fragmentary--consisting of only one tooth and multiple small fragments of cranium. The remains are consistent with being from a single individual. Woodward told me that Robert Beer (President of the company 909-767-2555) had already phoned the Native American Heritage Commission with a tentative diagnosis.

I indicated that the Orange County Coroner would be making official notification. David Belardes (Native American) was at the site at the time of my visit. I instructed Lisa Woodward to call the Orange County Coroner again if additional human remains are found in the area. The construction is over so it is not likely that there will be additional finds. The plan was to remove the area surrounding the remains and keep them in the lab of SRS. The remains would be held until the construction had been totally finalized and then the remains could be reburied.

If the Coroner has further instructions, Lisa Woodward can be notified. If new calls come in regarding remains I suggest that the investigator (Meader) speak with me on the phone and we can make suggestions as to the best manner to handle the situation. The nearby site Ora-83 was a highly controversial site where multiple burials of great antiquity became the subject of a dramatic controversy between environmentalists and developers. To avoid a re-play of this drama, the Coroner needs to keep track of the number of burials being found at this location. Hopefully, the one observed on August 4 will be the only one.

Photographs were taken to document the evidence.

FURTHER ACTION NEEDED:

Native American Heritage Commission should be notified by Inv. Meader or other Coroner personnel.

ATTACHMENT NO. 5.189

Judy Myers Sweeney, Ph.D.
FORENSIC ANTHROPOLOGIST

CONSULTANT TO THE MEDICAL EXAMINER/CORONER
FOR THE COUNTIES OF LOS ANGELES, ORANGE, RIVERSIDE AND SAN BERNARDINO

August 10, 1999

J. M. Sweeney

PROFESSOR
DEPARTMENT OF ANTHROPOLOGY
CALIFORNIA STATE UNIVERSITY
P.O. BOX 6846
FULLERTON, CA 92634-6846

Further communication regarding 99-05178ME

PHONES 714-624-1265
714-773-3706
FAX 714-624-5130
DEEPER 714-295-0301

I learned from a phone call with Joyce Perry that SRS and the Native Americans had reburied the skeletal remains reported in my report of August 5, 1999 (site visitation on August 4, 1999). The agreement at the site was that SRS was to hold the remains in their lab until the end of the site construction. It was also understood that if there was any further discussion of any matter that the investigator on the case (Meader) was to be called. Their reburial was clearly a violation of the agreement at the site visitation.

I recommend that in the future when there are any skeletal remains found by SRS that the Coroner officially supervise or take control of the excavation and remove the remains, taking them to the Coroner facility until an appropriate time.

ATTACHMENT NO. 5.190

Discovery of Bones Stirs Furor Over Koll Project

■ **Land use:** Fragments of ancient human remains were found at Bolsa Chica mesa site. Court hearing today may be too late, archeologists fear.

By JANET WILSON
TIMES STAFF WRITER

Ancient human remains have been found at a development site on the Bolsa Chica mesa, adding to the furor over the controversial housing project.

Skeletal fragments were unearthed last week during grading at a 6-acre site where homes are planned on a bluff overlooking the Bolsa Chica wetlands.

Activists monitoring the project say they are concerned that an entire burial ground may have been destroyed.

"This is a big deal," said Juana Mueller of the Bolsa Chica Land Trust, which is seeking a temporary restraining order to stop bulldozing at the site.

The bones, uncovered Aug. 4 by a scraper blade, could be as old as 8,000 years, she said. "That's way before the pyramids. That's real prehistory."

Hearthside Homes, formerly Koll Real Estate Group, plans to build 16 houses on the site, which is near Los Patos and Bolsa Chica avenues in Huntington Beach.

Officials at the company did not return calls seeking comment.

Judy Myers Suchey, the consulting forensic anthropologist who viewed the find last week, prepared a report for the Orange County coroner's office stating that the remains—cranial bone fragments and a tooth—are prehistoric.

"It's quite possible," she said Tuesday, that a burial ground has been destroyed by the grading.

But Lisa Woodward, a staff archeologist for the firm that has been monitoring the construction site for the builder, said she does not think that is the case.

News of the discovery came on the eve of a hearing scheduled this after-

Please see **REMAINS**, B7

LOS ANGELES TIMES



KEVIN P. CASEY / Los Angeles Times

Workers continue to excavate land where 16 homes are to be built.

REMAINS

Continued from B1

noon in Orange County Superior Court on the land trust's request to stop the bulldozing, which also has drawn the ire of environmentalists.

The grading, though, is already completed, several officials said.

Further complicating the issue are conflicting accounts of who has the bones.

David Belardes, chairman of the Juaneño Band of Mission Indians, said the remains have been turned over to him for reburial.

"We already have a designated reburial area on site," he said.

"That's what I do—I take care of the ancestors' remains. It's important because the ancestors need to be left alone and laid to rest. When we have a development like this, we try to put them in a place where they'll never be disturbed again."

But archeologist Woodward of Scientific Resource Surveys, which is monitoring the site, said she has the remains under lock and key.

She said she saw the bone frag-

ments in the company's possession Tuesday at the site.

She and another monitor have watched all the grading activity, she said, and no other human remains have been unearthed.

Patricia Martz, an archeologist and professor of anthropology at Cal State Los Angeles, said Tuesday she feels sick about the grading at the site, which is adjacent to where a giant prehistoric village once stood.

She has tracked the housing development closely and had pushed Huntington Beach officials to require more detailed testing before the bulldozing began.

When she heard about the human remains found last week, she said, she feared that an invaluable site had been destroyed.

"It's possible there could just be an isolated burial," she said, "or there could have been a whole burial ground."

"There's a range of possibilities. You just can't see under the ground to know, and now that it's been destroyed, that means we'll never know what was there."

09-12

ORANGE COUNTY SHERIFF – CORONER DEPARTMENT

FAX COVER SHEET

TO: Flossie Horgan PHONE: _____ FAX: 714 536-7262

ORGANIZATION Bolsa Chica Land Trust

FROM: Le'Lonnie PHONE: (714) 647-7400 FAX: (714) 647-6122

DATE: 02/21/08 NUMBER OF PAGES (+COVER) 7

CORONER CASE/NAME: Several Indian or ancient bones cases

CLASSIFICATION OF DEATH: 99-05178-ME

ITEM(S) FAXED: TOX _____ MICRO _____ VOD _____ NEURO _____

NEUROMICRO _____ CI _____ SUMMARY X

NOTES:

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ATTACHMENT NO. 5.192

**PAONE
CALLAHAN
MCHOLM
& WINTON**
LAWYERS

ROBERT E. CALLAHAN
RICHARD J. FOSTER
ROGER A. GRABLE
SUSAN K. HOBBS
KENNETH D. JOHNSON
ALAN J. KESSEL
JOHN LEHR**

STEVEN A. MCHOLM
KATHLEEN CAROTHERS PAONE
TIM PAONE
MARCIA SCULLY
DANIEL K. WINTON

* ALSO ADMITTED IN DISTRICT OF
COLUMBIA
** ALSO ADMITTED IN NEW YORK

February 14, 1994

VIA FAX

Judy Myers Suchey, Ph.D.
Department of Anthropology
California State University
Fullerton, CA 92634

Re: Bolsa Chica

Dear Dr. Suchey:

Thank you for sending me your response to my letter. I appreciate you taking the time to review the articles and questions that I raised. During the last several days, one other item of information was presented to me regarding the release of your report to the newspapers. I know that you have stated that you did not send it to the press, and I believe you.

I have spent the last several days in discussions with the Coroner's office, however, regarding the release of the map that was attached to your report. I was particularly disturbed by the release of the map because, as you know, the location of archaeological sites is normally kept confidential to discourage site vandalism and destruction. The last thing I want to see is a map to and of ORA-83 published in the newspapers or shown on Huntington Beach public television. As a professional in your field, I am sure that you understand and share with me the sensitivity of this information.

I have been informed that the map was released because you requested the Coroner's office to release your report to Pat Ware. Absent your request, the map would not have been released so easily. I would like to know why you requested this information be disclosed to Ms. Ware. Did she make any representations to you regarding her need for this information? Given the fact that you spoke to her and discussed with her the existence of this report, why did you choose to give Ms. Ware the information, and were you made aware of her intentions to "go public" with your report? Given the sensitivity of archaeological sites, did it not occur to you to ask Ms. Ware what she intended to do with your report -- and more importantly -- what she intended to do with the map?

While I respect your request to be left out of any future discussions on this issue, you must understand that your decision to request the Coroner's office to release the report to Ms. Ware

021454 / 17733.1

19100 VON KARMAN • 8th FLOOR • IRVINE, CALIFORNIA 92715 • 714-955-2900 • FAX: 714-955-9009
POST OFFICE BOX 19613 • IRVINE, CALIFORNIA 92713-9613

ATTACHMENT NO. 5.193

Judy Myers Suchey, Ph.D.

February 14, 1994

Page 2

has had far-reaching consequences and that it has changed the way in which archaeological issues and the confidentiality of excavation sites will be treated in the future by the press and public. As I am preparing for a minimum of two more public hearings on this issue, a meeting of "most likely descendants," and will be briefing my client for interviews with the media -- the central focus of all being the disclosure and contents of your report -- I would like your response so that we can answer questions about the disclosure of your report more knowledgeably. Thank you in advance for faxing this information to me as soon as possible.

If you have any questions, or if I can be of any further assistance, please do not hesitate to contact me.

Very truly yours,



Susan K. Hori

cc: Lucy Dunn (via fax)
Nancy Desautels, Ph.D. (via fax)

G-116

**THE JUANENO BAND OF MISSION INDIANS
ACJACHEMEN NATION**

Chairperson: David Belardes
Vice-Chairperson: Jean Fietze
Member at Large: Alfonso Ollivares
Treasurer: Adeline Williams

February 25, 1994

Judy Myers Suchey, Ph.D.
Professor, Dept. of Anthropology
California State University
Fullerton, Ca 92634

RE: OUR ANCESTORS REMAINS FROM CA-ORA 83 and 423

Dear Judy,

Because of the recent press coverage and the lack of sensitivity surrounding our ancestors remains found at Bolsa Chica and Aliso Creek, I request that no further comments, maps or locations be revealed to the media, government officials, and or any other persons other than what the law requires.

I request that no photographs be taken of our ancestors and that any photographs previously taken be returned to the tribe. Also, it would only be appropriate that any reports written regarding our ancestors remains be submitted to the tribe first.

I have been in contact with Mr. Bisner, Mr. Lyles, and Ms. Gayle McNully regarding the possibility of having a workshop so that all parties will be clear of the policies and laws surrounding Native American remains.

In closing, I would hope you would consider using compassion when dealing with the "remains" of our great grandparents, mothers, fathers, sisters and brothers. Their spirits touch us deeply!

Sincerely,



David Belardes, Chairperson

Enclosure

cc. Tim Bisner
Bruce Lyles
Gayle McNully

Juaneno Band of Mission Indians, Acjachemen Nation - 31742 Via Belardes - San Juan Capistrano, CA 92675

ATTACHMENT NO. 5.195

LAW OFFICES
BAKER AND BURTON
A PROFESSIONAL CORPORATION
215 LONG BEACH BOULEVARD
SUITE 306

LONG BEACH, CALIFORNIA 90802
TEL (310) 435-9553
FAX (310) 435-3221

KENT BURTON
BRAD N. BAKER
PAUL HORGAN

1-27-94
check # 450 for
\$20⁰⁰ is returned
to Mr Horgan this
date.

HERNOSA BEACH OFFICE
515 PIER AVENUE
HERNOSA BEACH, CALIFORNIA 90254
TEL (310) 376-9893
FAX (310) 376-7483

Coroner Case # 91-05251-LL

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

January 19, 1994

Mr. James Beisner
Chief Deputy Coroner
Orange County Coroner's Office
1071 W. Santa Ana Boulevard
Santa Ana, CA 92701

Dear Mr. Beisner:

This letter is a request, pursuant to Government Code Section 6250 et seq., that the Orange County Coroner's office forward to me, at the Long Beach office listed above, the following records in the possession of the Coroner's office:

All records of human remains found on the Bolsa Chica mesa in Orange County, California, received by the Orange County Coroner's office between January 1, 1990 and the present. This request includes, but is not limited to, all records of human remains found on the archeological site known as CA-ORA 83.

Pursuant to Government Code Section 6257, I am including with this request a check in the amount of \$25.00 in favor of the Coroner's office to pay for copying charges. If the amount is insufficient, please notify me and I will pay all reasonable additional copying charges.

Thank you.

Very truly yours,


Paul Horgan
PAUL HORGAN
PH/pc
enclosure

Coroner Case # 93-05868-LL

Appear relevant to you
request.

Fee for Coroner record
is \$50.25 per case

Please remit \$100.50
for copies of the records
indicated.

PAUL C HORGAN FLORENCE HORGAN (714) 536-7252 215 LONG BEACH BLVD #306 LONG BEACH, CA 90802		450 15-21-1225
Pay to the Order of	ORANGE COUNTY CORONER	\$ 25 ⁰⁰
Twenty five and no/100		Dollars
 First Interstate Bank		For <i>Paul Horgan</i>
For <i>Paul Horgan</i> First Interstate Bank of California Long Beach Main Office 11-54 211 East Ocean Blvd Long Beach, CA 90802		
~ 12200021811583044011 0450 11		

ATTACHMENT NO. 5. 96

NO. 337140

RECEIPT
COUNTY OF ORANGE
SHERIFF-CORONER DEPARTMENT

On 2/18/84 Eileen
Case is for 2 maps.

① CA-ORA-83

② CA-ORA-365

OK REA S.B.

④

Received of: Baker, Eileen (Eileen) Date 1-31-94 70802

Address: 215 LONG BEACH BLVD STE 306 City Long Beach

For: CASE # 93-05868-LL & 91-05251-LL

NOTES

CASE CARDS, QCSO REPORT 5 REPORTS FROM Dr. Searcy

Paid By: Cash Check No. 1156 By T. J. 211

PC830112.1

ATTACH

NO. 5.197

NO. 337165

RECEIPT

COUNTY OF ORANGE
SHERIFF-CORONER DEPARTMENT

Attorney for Kohl Co.

Susan Horis, Atty - Cathy Young, Atty's assistant

Received of: Private, California, 1000 DATE 2/2/96 32703

Address: 19100 Van Ness Blvd, Suite 1000 San Francisco, CA

For: CASH 95000.00 → T.M.E., 10000

10000 D.M.E. 10000 CA - ORANGE

Paid By: Cash

Check No. 27196

By: T. B. 100

\$ 50.00



SHERIFF-CORONER DEPARTMENT
COUNTY OF ORANGE, CALIFORNIA
INVESTIGATOR'S CASE NOTES

Case No. 93-5868-22 ☐ Deceased ☒ Deceased
Investigator LYE ☐ YES ☒ NO

CLASSIFICATION

☐ Natural - A ☐ Homicide ☐ Accident ☐ Other Included
☒ Natural - NA ☐ Suicide ☐ SOS ☐ In Custody
☐ Natural - Dual ☐ Traffic ☐ Undetermined ☐ Refer to PA
☐ Corrupt ☐ Doctor ☐ Neglected ☐ Deceased ☐ Corrupt ☐ Other

Decedent Name BONES, HUMAN

AKA _____

Address _____

City _____

Telephone _____ Age _____ DOB _____

Sex _____ Race _____ Ht _____ Wt _____ Hair _____ Eyes _____

☐ Married ☐ Divorced ☐ Never Married ☐ Widowed ☐ Orphan

Occupation _____

SS # _____

Date of Death _____ Time _____

Place of Death ALBANY, N.Y.

Transport ☐ P ☐ EROP ☐ ODA

Photographed By _____

Call Reported From ALBANY, N.Y. Time 0925

Date 9/30/93 10:30

Place Reported FSC _____

FSC _____

Requested By _____

Time Called _____ Time Arrived _____

Accomp. ☐ No ☐ Coroner ☐ Private ☐ Other ☐ SOS

MO Cause of Death _____

Per MO _____

Investigator _____

GENERAL COMMENTS & NOTES

OUT TO SITE & MAKE A

PERMANENT.

A.T.C. Judy Suchey: no AHS.

10/8/93 ops - contacted Judy

Suchey - she will contact de-

structors & go to site & report
back. (cc)

NATIVE AMERICAN

Commission

Notified @ 0945 11-3-93

Spoke to Debbie Treadway

STAMP Service ANA 1/5/94

916-653-11083

Native

FL Cal Ora 83 W-26-fh-27

Native

Grading is complete

916-7877

cleaning trees stump

located fragments

FOUO-58.7 (004570)

LD. With @ Scene _____ @ Post _____

City @ Scene _____ @ Post _____

Number of Photographs Submitted _____ By _____

GSR # _____ Location Taken At _____ By _____

Physical Evidence Taken - By _____

Other Evidence _____

Disposition _____

Bond & Toll Taken _____ Disposition _____

Properties Taken _____ By _____

Handled By _____

NEXT OF KIN

Name _____ Relationship _____

Address _____

Name _____

Address _____

Name _____

Address _____

Notified By _____ Date _____ Time _____

☐ Being Paid _____

Address _____

WITNESS/INFORMANTS

Name MARY BRESNAHAN Phone 818-2827

Address SCIENTIFIC RESOURCE SURVEY INC.

Name _____ Phone _____

PROPERTY ☐ YES ☒ NO

Disposition ☐ NOX ☐ Money ☐ FSC Site

Other _____

Relationship _____

P.A. _____

Date Reported _____

PA. Custody Of Property: ☐ Yes ☐ No

REPORTS

Recorded _____

Signed _____

ATTACHMENT

0.5.199

13-1

PRELIMINARY EXAMINATION OF BODY

Where Made _____ Time _____

Position of Body _____

Page _____ Extent _____

Unlabeled _____ Extent _____

Opinions _____ Extent _____

Taxons _____

Body Temperature _____ Variable: ☐ ID. ☐ Surface ☐ No

Trauma (describe) _____

Other _____

Scars _____

MEDICAL HISTORY MD. U.S. _____

Attending Physician _____ Last Visit _____

Address _____

City _____ Telephone _____

Treated For _____

Wish _____

Type of Operation _____ Date _____

Advised Date _____ Time _____

Brought in By _____ from _____

Address _____

Examined By _____

Completed _____

Advising DX _____

Treated ☐ Yes ☐ No BA. Used _____

AM. Body ☐ Yes ☐ No Date _____ Time _____

Pic. For _____

SCENE

☐ TRAFFIC ☐ INDUSTRIAL ☐ OTHER

Type of Accident _____

Place _____

Date _____ Time _____

Type of Vehicle _____ License _____

Tow Company _____

Accident Date _____ Page _____ Pedestrian _____

Restraints ☐ Yes ☐ No ☐ U.S. ☐ No ☐ U.S.

Travel Direction _____ on _____

Position in Vehicle _____ Ejected ☐ Yes ☐ No

Other Vehicle, Describe _____

Travel Direction _____ on _____

Number of Persons in Decedent's Vehicle _____ Other Vehicle _____

OSHA Notified ☐ Yes ☐ No Date _____ Time _____

Name _____

REPORT DATE _____

Police Agency _____ Time PD Called _____

Office _____ File No. _____

Investigator _____ Charges ☐ Yes ☐ No

SOS: Health Dept. Notified By _____ Date _____ Time _____

CAR. Notified ☐ Yes ☐ No Record _____

Name _____ Date _____ Time _____

C.D.C. Notified _____ Date _____ Time _____

D.A. Notified _____ Date _____ Time _____

SUICIDE ☐ HOMICIDE ☐

Type _____

Place _____

Date _____ Time _____

Weapon _____

Set. No. _____ ☐ No Weapon _____

Registered Owner _____

Subject Name ☐ Yes ☐ No Date _____ Time _____

Suspect Name _____ in Custody _____

CIRCUMSTANCES

NANCY DESAULES, PHO (HACROLOGY,
CAME IN TO FSC C DAVID BELMONT,
TURNING IN INDIANS. THEY ARE WORKING
AT A SITE (GOAT-83 & CO-00-365)
& HAVE UNCOVERED MOLT. BONES &
BONES FRAGMENTS. THEY STILL
HAVE SOME FRAGMENTS & REQUEST
TO EXPLORE. THEY REQUEST THEY
HOW ON TO THE BONES THEY
HAVE UNCOVERED. THEY ALSO
REQUEST WE CONTACT JUDY SUCHNEY,
AND HAVE HER CALL NANCY C
THE POSSIBILITY THAT JUDY COME

DATE
6
TIME

PAGE #

CASE # 93

8/15/94 Call from Anthropologist David Kice. He is informing us that more bones were fd on a continuous site. He contacted NIHC & they told him to call us to keep us updated.

W/ Sept 93. several bones were fd in Bolsa Chica Mesa, (an unincorporated area of HR) so of Warner. Dr. J. Suley responded to scene & determined bones to be Indian.

Since that date the site has been continually excavated by a company called SRS & For. Anthro. David Kice. Per Dr. Kice - Cor. office has been notified 3 times since the original notification.

David Kice - 310 399 5143

SRS

714 - 898 - 7877

1440 Per Larry Meyers - NIHC

He told D. Kice to reinform us of new find in same site because he has noticed problems w/ notification in the past. There is no need for us to do anything.

Larry is going to look up ^{our} case # & call back.

Be

1500 Larry can't find case #. Wt was site 83.

5868

Judy Myers Suchey, Ph.D. *Judy M. Suchey*
FORENSIC ANTHROPOLOGIST

CONSULTANT TO THE MEDICAL EXAMINER/CORONER
FOR THE COUNTIES OF LOS ANGELES, ORANGE, RIVERSIDE AND SAN BERNARDINO

October 3, 1993

PROFESSOR
DEPARTMENT OF ANTHROPOLOGY
CALIFORNIA STATE UNIVERSITY
FULLERTON, CA 92634

PHONE 714-624-1265
FAX 714-624-8150
DEEPER 714-235-0531

Examination of tooth and bone fragments from
AC-1, Unit -103, depth 78 cm

On October 3, 1993 I went to the office of the Chambers Group, Inc. (16700 Aston Street, Irvine, CA), having been called by Philip de Barros, Ph. D. regarding a recent find on the east side of Aliso Creek in an excavation regarding the San Joaquin Hills Transportation Corridor. The bone and tooth were found Oct 1, 1993 and Dr. de Barros called me that same day. The tooth was human, probably a canine.¹ It showed considerable attrition to the crown and appears to be prehistoric (therefore, Native American). The bone fragments are small and I find them non-diagnostic. I do not see identifiable human traits on them.

Work may continue in this location Oct and Nov of 1993. A human tooth does not constitute a human burial as a person can live without a tooth. Teeth fall out at times during adult, as well as children's lives. Furthermore a tooth can be pulled for therapeutic reasons.

Given the climate of professional judgments being made in California today, the tooth should be reported to the Native American Heritage Commission. The tooth is still in the possession of Dr. de Barros and the Coroner can contact him regarding their decisions on this matter.

Slides were taken to document the evidence and these slides as well as the hard copy of this report will be mailed to the Orange County Coroner (Investigator Bruce Lyle) when they are developed. This report is being FAXED to both Dr. de Barros and the Coroner on today's date (Oct 3, 1993).

¹ The tooth is from an adult as evidenced from its morphology (it is permanent) and the attrition (the individual would be 20 or older).

Philip de Barros, Ph.D., SOPA
Senior Principal Investigator



Chambers Group, Inc.

Environmental Consultants • Scientists • Planners • Engineers

16700 Aston Street
P.O. Box 57002
Irvine, CA 92619-7002

(714) 261-5414
Fax (714) 261-8750

Judy Myers Suchey, Ph.D.

FORENSIC ANTHROPOLOGIST

CONSULTANT TO THE MEDICAL EXAMINER/CORONER
FOR THE COUNTIES OF LOS ANGELES, ORANGE, RIVERSIDE AND SAN BERNARDINO

October 9, 1993

PROFESSOR
DEPARTMENT OF ANTHROPOLOGY
CALIFORNIA STATE UNIVERSITY
FULLERTON, CA 92634

PHONE 714 524-1265
FAX 714 524-5190
DEEPER 714 299 0591

Examination of teeth and maxillary fragment from
AC-1, Unit - 103

On October 8, 1993, I went to the office of the Chambers Group, Inc., having been called by Phillip de Barros on 10-4-93 regarding additional bone evidence at AC-1. On 10-4-93 additional adult human bone and dental evidence was found several cms lower than the tooth discussed in my report dated October 3, 1993. Six new fragmentary teeth and a maxillary fragment (weighing 9.3 gm) were found. These remains are human and appear to consist of a single individual (the previously discovered tooth included in this same individual). The teeth appear to be a maxillary canine and three incisors; identification is difficult due to the extreme attrition. The other two teeth appear to be two fragmentary premolars. All are heavily worn and the maxilla is highly mineralized; the material appears to be ancient Native American. The Native American Heritage Commission needs to be notified regarding this additional material.

Slides were taken to document these remains.

Amge. Naritaga - 911-653-4082

FAY - 657-5390

ATTACHMENT NO. 5.203

Judy Myers Suchey, Ph.D. *J M Suchey*

FORENSIC ANTHROPOLOGIST

CONSULTANT TO THE MEDICAL EXAMINER/CORONER
FOR THE COUNTIES OF LOS ANGELES, ORANGE, RIVERSIDE AND SAN BERNARDINO

10-16-93

PROFESSOR
DEPARTMENT OF ANTHROPOLOGY
CALIFORNIA STATE UNIVERSITY
FULLERTON, CA 92634

EXAMINATION OF HUMAN SKELETAL REMAINS FROM CA-Ora-83
Site visitation on October 12, 1993

PHONE 714-524-1265
FAX 714-524-5150
DEALER 714-295-8511

On October 12, 1993 I visited the site of CA-Ora-83, located in the beach area near the intersections of Bolsa Chica and Warner. I spoke with Nancy Desautels, Archaeologist with SRS (Scientific Resource Surveys, Inc); David Kice, Human Osteologist working with SRS; and Phillip Ibanez, Native American Monitor. I examined the excavation pits and photographed burial 19 (BB9) which had been pedestalled and partially exposed. I photographed overall views of the excavation including the wet screening processing area. I examined briefly the skeletal material which had previously been excavated in the laboratory facility and spoke with both Nancy Desautels and David Kice regarding the analysis to date.

The skeletal remains coming from this site are very old, approximately 8000 years old as indicated from some current dating procedures. The remains resemble the Early Horizon material from Central California regarding the heavy mineralization of the material. The bone comes from a uniform layer, the upper part of the Pleistocene terrace deposit. For this reason, the bone is clearly prehistoric and cannot be confused with modern skeletal material of forensic interest to the Coroner. The mineralization and the poor preservation (usually the only bone remaining is long bone midshafts and cranial vault) make determination of prehistoric status a reliable procedure. Mr. Kice, currently working with SRS, has a good background in osteological procedures. His experience allows him to determine the nature of the bone and if any modern forensic material is ever found at the site there is no doubt that he will recognize it at once. I instructed both Nancy Desautels and David Kice to immediately inform the Coroner if such should occur. Further site visitation should not be necessary if the remains continue to be highly diagnostic and prehistoric.

I spoke with Phillip Ibanez, Native American monitor and we discussed general outlines of the Coroner responsibility including why I take photographs to legally document my conclusions.

Finally, I photographed and examined a cranial fragment in the laboratory which had an enigmatic feature which resembled, in part, trephination. At the end of the excavation (sometime during 1993 or early 1994) it was decided that David Kice and I would submit this material to Steve Dowell at the L. A. Coroner's office for examination of the defect with the dissecting microscope. The Native Americans are in agreement with the importance of examining this feature in order to properly interpret past events at the site.

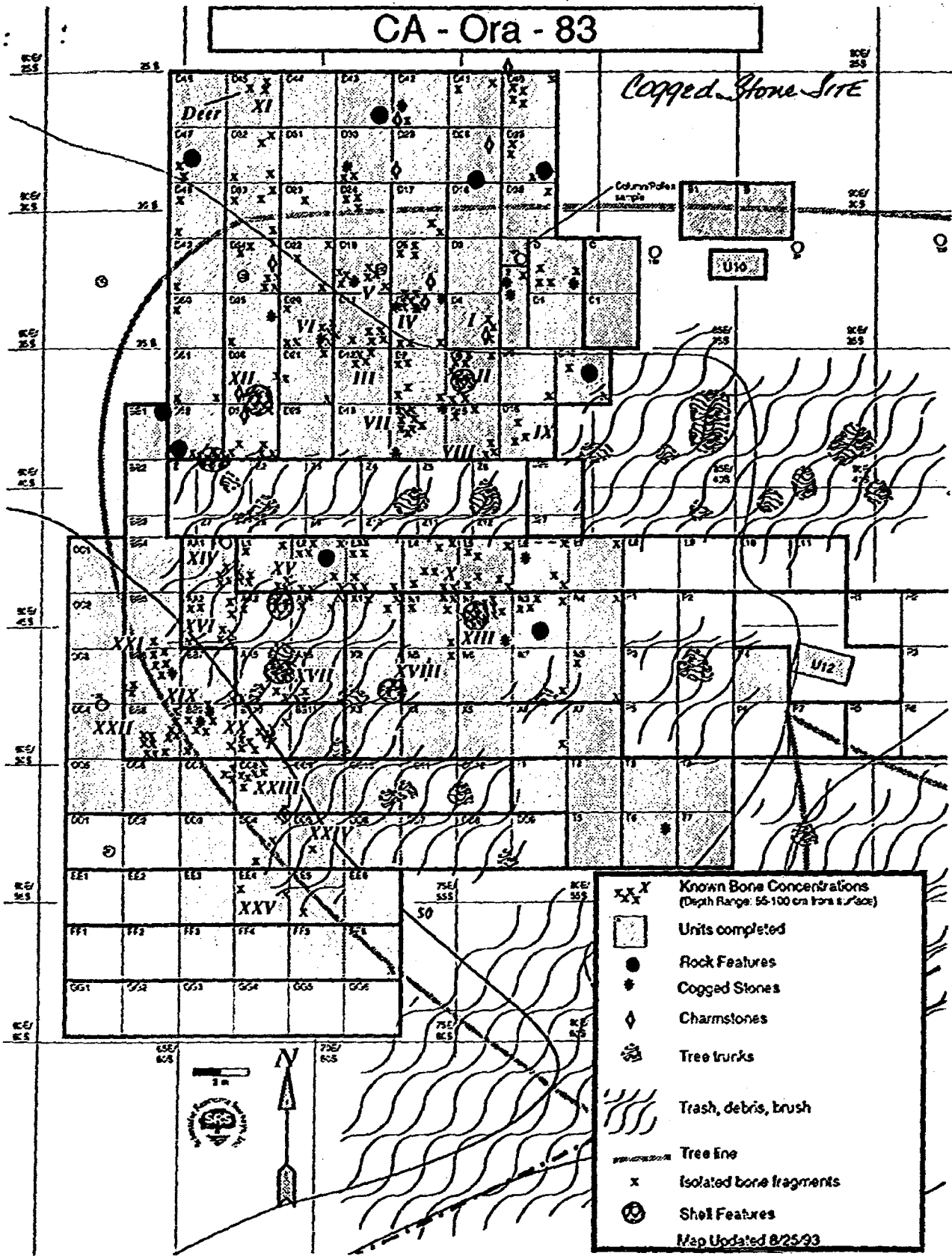
Judy Myers Suchey, Ph. D.
Forensic Anthropologist

Report written on October 16, 1993

Attachments: map of bone concentrations on CA-Ora-83 and resume of David Kice

ATTACHMENT NO. 5.204

93-7



13



ANTHROPOLOGY



ODONTOLOGY



NEUROPATHOLOGY



RADIOLOGY



OTHER _____

(SPECIFY)

Coroner's Inquiry
94-50516

ANALYSIS OF HUMAN SKELETAL REMAINS

DATE OF EXAMINATION: 1-27-94

PAGE 1 OF 1

On January 27, 1994 I went to California State University, Long Beach for the purpose of examination of a collection of skeletal remains and assessing whether there were any skeletal remains which were modern and of forensic interest to the Coroner. I met Dr. Sathyavagiswaran (Chief Medical Examiner, Department of Coroner) at this location and the two of us were taken to a storeroom where the trays and boxes of an Anthropology Laboratory had been taken for inventory. Dr. Dan Larson (Associate Professor of Anthropology) and Susan Dohr (Graduate Assistant) helped us in our examination of the relevant osteological materials in these boxes. It was known that certain of the skeletal remains had originated from the Los Altos site (LAN-270) in Long Beach and we were given a journal which reported on this site (Pacific Coast Archaeological Society Quarterly, Vol. 8, No. 2, April 1972). I examined all skeletal remains (human and non-human) and determined that all human remains were prehistoric and not of forensic interest to the Coroner. In my assessment I examined the amount of attrition on the teeth, when teeth were present. I assessed the amount of mineralization of the bone itself and noted the various color patterns. I assessed the facial features, when the skull was present for "Mongoloid" traits (shovel-shaped incisors, prominent zygoma).

I took a photographic inventory of the containers, which were numbered 1-32.

- | | |
|---|--------------------------------------|
| 1. Facial portion of skull } same box | 22. Postcranial |
| 2. Facial portion of skull } same box | 23. Postcranial by element |
| 3. Child's skull and postcranial } same box | 24. Skull, Also Abalone |
| 4. Adult skull and postcranial } | 25. Drawer of misc, Also worked bone |
| 5. LAN-272 5-1 Skull, 2 more skulls, misc postcranial | 26. Cremains |
| 6. Fragmentary crania and postcranial | 27. Buried skeleton in matrix |
| 7. Misc vertebrae | 28. Buried skeleton in matrix |
| 8. Skull, misc postcranial. Also cultural items. | 29. Artifacts, includes worked bone |
| 9. Sacra, radii, postcranial | 30. Cranium and misc |
| 10. 2 Skulls, LAN x-1. Also Faunal items | 31. Skull and misc. |
| 11. 2 Skulls, postcranial | 32. Human and non-human frags |
| 12. Ribs | |
| 13. Innominates and humeri | |
| 14. Postcranial. Also Abalone | |
| 15. Skull and misc postcranial | |
| 16. Skull and misc postcranial. Also Animal Bones | |
| 17. Postcranial Also Faunal items | |
| 18. Postcranial | |
| 19. Skull and misc. | |
| 20. Misc postcranial by element | |
| 21. Misc postcranial by element | |

Judy Myers Suchey, Ph. D.
Forensic Anthropologist

Judy Myers Suchey, PhD

WHITE: FILE COPY
CANARY: NOTIFICATION
PINK: CERTIFICATION
GOLDENROD: CONSULTANT

10513 Rev 2-82

**PAONE
CALLAHAN
McHOLM
& WINTON**
LAWYERS

ROBERT E. CALLAHAN
RICHARD J. FOSTER
ROGER A. GRABLE
SUSAN K. HORN
KENNETH D. JOHNSON
ALAN J. KESSEL
JOHN LEHR**

STEVEN A. McHOLM
KATHLEEN CAROTHERS PAONE
TIM PAONE
MARCIA SCULLY
DANIEL K. WINTON

* ALSO ADMITTED IN DISTRICT OF
COLUMBIA
**ALSO ADMITTED IN NEW YORK

February 9, 1994

HAND DELIVERED

Per JB → File

James Beisner
Chief Deputy
Orange County Sheriff-Coroner Department
1071 W. Santa Ana Blvd.
Santa Ana, CA 92703

Re: Case No. 93-5868-LL; Bolsa Chica

Dear Mr. Beisner:

During my meeting with Bruce Lyle of your office on Monday, he reviewed with me Judy Suchey's report on her site visit to Bolsa Chica. Noted as an attachment to her report was a map of the ORA-83 site. The map appeared to be quite detailed showing the general location of the excavation area with detailed annotations as to the nature of material found at the site, such as cogstones and charmstones. I believe that the map was prepared by the archaeologist and was provided to Dr. Suchey by either the archaeologist, Dr. Desautels, or a member of her staff; however, I do not think they anticipated that it would be attached to Dr. Suchey's report or included in the public file on this case.

It is my understanding that you have authorized the release of this map to Pat Ware. Ms. Ware has previously released Dr. Suchey's report to the newspapers and I do not doubt that she may also release copies of this map to members of the press, archaeological organizations and homeowner groups with whom she is working. Ms. Ware and members of her organization also announced at a televised public hearing in Huntington Beach that other members of the public could go to the coroner's office to obtain copies of Dr. Suchey's report (and map).

While there is no way to retrieve this map from Pat Ware after it has been distributed to her, I would like to request on behalf of my client, The Koll Company, the archeological consultant, and the Native American representatives with who I am working with on this matter, that in the event any other requests for copies of the material are made, that copies of the map not be provided. We understand that Dr. Suchey's report is a matter of public record, but we believe that in order to protect the site from archaeological vandalism and sightseers, maps showing the

02/09/94 / 19630.1

19100 VON KARMAN • 8th FLOOR • IRVINE, CALIFORNIA 92715 • 714-955-2900 • FAX: 714-955-9009
POST OFFICE BOX 19613 • IRVINE, CALIFORNIA 92713-9613

ATTACHMENT NO. 5.207

James Beisner
February 9, 1994
Page 2

location of the site and the nature of material discovered there should not be released to the public.

I would appreciate it if you could give me a call so that we can discuss this matter further, if necessary. If you have any questions, or if I can be of any further assistance, please do not hesitate to contact me.

Very truly yours,



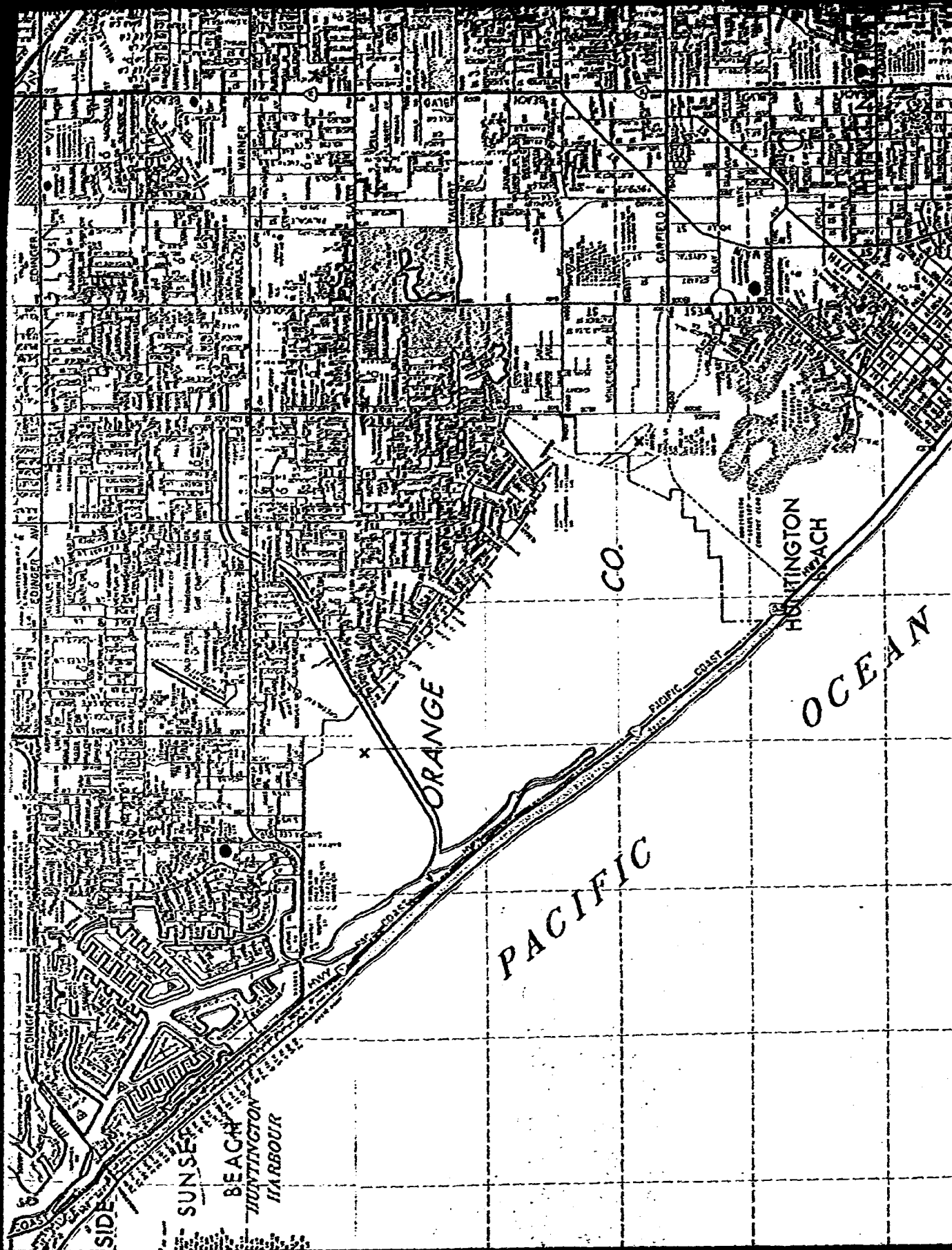
Susan K. Hori

cc: David Belardes
Nancy Desautels
Lucy Dunn

000594 / 19630.1

ATTACHMENT NO. 5.208

92-10



PROFESSIONAL NATIVE AMERICAN CULTURAL RESOURCE MONITORS

Tenevale Site

- CONSULTANT
- EXCAVATION
- SURVEYS
- RESEARCH
- ASSESSMENT REPORTS

PHILIP MANEZ
(714) 361-7402
45747 PALA ROAD
TENEVALE, CA 92592

SRS

ROBERT M. BEER
Vice President
Environmental Operations

Nancy Desautels

Scientific Resource Surveys, Inc.
ARCHAEOLOGY • PALEONTOLOGY • HISTORY • GEOSCIENCES
PO Box 4371, Huntington Beach, CA 92653-4371 • Phone 714/866-7077 • Fax 714/866-7052
PO Box 2548, Tenevale, CA 92592-2548 • Phone/Fax 714/797-2555

6

**Native American Heritage Commission
915 Capitol Mall, Room 364
Sacramento, CA 95814
(916) 653-6251**

May 22, 2008

MEMO

TO: Rebecca Robles, Acjachemen Nation

The Hon. Anthony Morales, Chair – Gabrieleno/Tongva San Gabriel Band of Mission Indians and Most Likely Descendant (MLD) on the Brightwater Homes – Bolsa Chica Construction Site in Orange County, California

RE: Native American Human Remains Reports to the Native American Heritage Commission (NAHC); Forms, Notes, e-mails for the period August 3, 1999 to April 26, 2008; all Reports are Identified as CA-ORA-83 From the Bolsa Chica Mesa Brightwater Homes Housing Site

Enclosed are the reports in descending (start with most recent) order.

The first is the very unusual report on the Coroner's investigation of April 19, 2008 concerning sets of Native American Human Remains that were originally reported to the NAHC by the archaeology firm SRS, Inc. December 17, 2007 as 87 sets (or burials) of Native American Human Remains;

My notes taken from telephone conversations with Orange County Deputy Sheriff-Coroner Tiffany Williams follow the typed report. Also, an e-mail to Ms. Williams offering NAHC assistance in reviewing how these human remains were reported (and not reported) to the NAHC as required by CA Health & Safety Code Sec. 7050.5.

The next sheet is a report to the NAHC of 8-19-2008, again by Deputy Tiffany Williams of a partial burial;

The next sheet is a find, a "complete burial," of 9-6-2001 as a result of 'grading' activity;

The next sheet is a report of a find of 1-16-2001 of 18 body parts representing an "unknown number of individuals;"

The next sheet is a find in 5-2000 of "1 burial;"

The next sheet is another find in 5-2000 of a "femur & long bone;"

*"Our lives begin to end the day we become silent about the things that matter."
- Martin Luther King, Jr.*

ATTACHMENT NO. 5.212

The next sheet is the August 3, 1999 finding of a "skull and tooth fragments" as a result of grading on Bolsa Chica Road . Dr. Judy Suchey's Coroner report is consistent with this NAHC report except the Dr. Suchey indicated "skeletal fragments" perhaps not mentioned in the telephone report to the NAHC by Orange County Investigator Meader (misspelled in the NAHC report);

The last sheets are an e-mail to Dr. Nancy Anastasia Wiley, Ph.D and President of SRS, Inc., the archaeology firm of record for the Brightwater Homes project at the Bolsa Chica Mesa in Orange County. The e-mail encloses the 1999 report of Dr. Judy Suchey and the 2003 Native American Human Remains find, reported in 2006 by Orange County Deputy Sheriff Tiffany Williams.

As you can see from the reports, they are incomplete and in some cases very insufficient, a condition that has been a hallmark of this project. Let me know if you have any questions.

Dave Singleton
Program Analyst
NAHC

"Our lives begin to end the day we become silent about the things that matter."

- Martin Luther King, Jr.

ATTACHMENT NO. 5.213

DATE OF CALL 4-26-2008 5 p.m.
DATE OF COMPUTER INPUT _____ INITIALS _____
NO FURTHER ACTION (NFA) - INITIALS _____

REQUEST FOR ASSISTANCE REGARDING
NATIVE AMERICAN HUMAN REMAINS

NAME Deputy Sheriff Tiffany Williams TELEPHONE 714-647-7411

ADDRESS 1071 West Santa Ana Blvd; Santa Ana, CA 92708

COUNTY ORANGE

ORGANIZATION (I.e. Coroner, Police, Private etc.) ORANGE COUNTY SHERIFF-CORONER
To Coroner Investigator,

DATE OF FIND: UnDisclosed TIME: ? All Remains: ORA-83

Date of Coroner Investigation: 4-19-2008

* DESCRIPTION OF REMAINS: No number or sets of Remains Given; referred to as
Ancient Burial Material; Ancient Site; Coroner Investigator has "reason to believe remains
are Native American per Health & Safety Code Sec. 7050.5.
ASSOCIATED GRAVE GOODS: YES NO DESCRIBE Referred to as ORA-83
Material from Ancient Burial Site. Investigator determined: "No modern forensic evidence
found" Again, no details provided by the Coroner Investigator on either material or
human remains.

MONITOR ON SITE: YES X NO _____ NAME Joyce Perry - Juaneno
Adrian Morales - Gabrieleno Tongva

LOCATION WHERE REMAINS FOUND: (CITY) Adjacent to City of Huntington Beach

(ADDRESS) Warner Avenue at the Huntington Beach Wetlands Area

FOUND ON: FED. _____ STATE _____ COUNTY _____ CITY _____ PRIVATE X LAND _____

PROJECT NAME: BRIGHTWATER HOMES DEVELOPMENT

NAME OF DEVELOPER/PROPERTY OWNER, HEARTHSIDE HOMES, INC.

Ed Mountford, Senior Vice President TEL. # (949) 250-7700

LOCATION WHERE REMAINS BEING HELD: In Two Trailers at Site

1980s: Juaneno

MOST LIKELY DESCENDENT CONTACTED: YES X DATE 10/2006: Gabrieleno

David Belardes - Juaneno Tongva

NAME OF MOST LIKELY DESCENDENT: Anthony Morales - Gabrieleno Tongva

FINAL DISPOSITION AND DATE: _____

NAME [Signature]

Additional information may be placed on back.

Rev. 5/95

* Previously Reported to NAHC 12/17/2007 as 87 burials
or sets of Native American Human Remains by Archaeologist.

ATTACHMENT NO. 5.214

Case # 08-02374-WI

DATE OF CALL 4-26-2008
DATE OF COMPUTER INPUT _____ INITIALS _____
NO FURTHER ACTION (NFA) - INITIALS _____

REQUEST FOR ASSISTANCE REGARDING
NATIVE AMERICAN HUMAN REMAINS main 714-647-7400

Deputy Sheriff:

NAME Tiffany Williams, Investigator TELEPHONE 714-647-7411

ADDRESS 1071 W. Santa Ana Blvd. Santa Ana CA 92703

COUNTY ORANGE COUNTY SHERIFF, DIVISION

ORGANIZATION (i.e. Coroner, Police, Private etc.) Orange County Sheriff-Coroner

DATE OF FIND: ? TIME: CA-ORA-83

DESCRIPTION OF REMAINS: bone clusters found in house-pits and random locations

ASSOCIATED GRAVE GOODS: YES X NO DESCRIBE logged items

Beads Discards

MONITOR ON SITE: YES X NO NAME Joyce Perry

LOCATION WHERE REMAINS FOUND: (CITY) Brightwater Beach

(ADDRESS) Bolsa Chica Mesa

FOUND ON: FED. STATE COUNTY CITY PRIVATE X LAND

PROJECT NAME: Brightwater Homes

NAME OF DEVELOPER/PROPERTY OWNER, Signal Landmark

Heardside Homes TEL # _____

LOCATION WHERE REMAINS BEING HELD: _____

MOST LIKELY DESCENDENT CONTACTED: YES X DATE _____

NAME OF MOST LIKELY DESCENDENT: Anthony Morales
David Belandier

FINAL DISPOSITION AND DATE: _____

Dave Lyle
NAME

Additional information may be placed on back.

Rev. 5/95

Public Records Requests: prarequests@ocsd.org

ATTACHMENT NO. 5.215

714-647-7426
investigations
Fax #
coroner@ocsd.org

Determination:
"no modern forensic evidence"

Request for Assistance Regarding Native American Human Remains

New Discovery	X	Update of Previous Discovery	Update Date	Date of Computer Input
Document Filed:	Month	Year	No Further Action	
County	Orange	Coroner Case Number		
Site Number	CA-ORA-83	Date of Call	8/19/2006	
Name	Tiffany Williams		Phone Number (714) 647-7411	
Address			Organization Type	
Organization			Coroner	
Date of Find:	Month	August	Date	19
			Year	2006
			Time	
				Burial No.
Description			Associated Grave Goods	
Humorous, femur, partial burial				
Project Name	Hearthside Homes		Ownership	
Lead Agency			Private	
Project Location	Bolsa Chica		City	
			Huntington Beach	
Developer/Property Owner				
Phone Number monitor	Joyce Perry		Monitor Phone Number	
MLD	David Belardes, Cindi Alvitre		Date MLD Contacted	
			8/19/2006	
MLD Phone Number	(949) 493-0959		Remains Being Held	
Final Disposition			Disposition Date	
Comments	Received voice mail message. New concentrations: Z27, Z28, Z30 and DC89, which was identified as a partial burial.			

ATTACHMENT NO. 5.216

Request for Assistance Regarding Native American Human Remains

New Discovery	X	Update of Previous Discovery	Update Date	Date of Computer Input	11/14/2002
Document Filed:	Month	Year	No Further Action		
County	Orange	Coroner Case Number			
Site Number	CA-ORA-83	Date of Call	9/7/2001		
Name	Tiffany Burch		Phone Number	714-647-7410	
Address			Organization Type		
Organization			Coroner		
Date of Find:	Month	September	Date	6	Year 2001 Time 1600 Burial No.
Description	Complete Burial		Associated Grave Goods Rocks and Shells		
Project Name	Bolsa Chica		Ownership		
Lead Agency			Private		
Project Location	Huntington Beach		City	Huntington Beach	
Developer/Property Owner	Heartside Homes, Ed Mountford				
Phone Number	949-250-7760				
monitor	Joyce Perry		Monitor Phone Number		
MLD	David Belardes		Date MLD Contacted	9/7/01	
MLD Phone Number	Remains Being Held In Situ				
Final Disposition	Disposition Date				
Comments	Grading being conducted on site. Will be reburied upon completion or project.				

ATTACHMENT NO. 5.217

From: Dave Singleton <ds_nahc@pacbell.net>
Subject: Orange County Coroner's Case #08-02374-WI
Date: April 29, 2008 3:52:00 PM PDT
To: twilliams@ocsd.org
Cc: Larry Myers <lm_nahc@pacbell.net>, Anthony Madrigal <am_nahc@pacbell.net>

April 29, 2009

Dear Deputy Tiffany Williams: Thank you for the report of Native American Human Remains reviewed by you at the Brightwater Homes Development Site, on the Bolsa Chica Mesa north of Huntington Beach, Case No. 08-02374-WI. We understand that you were able to review the remains and material in a trailer at site in the presence of Ed Mountford, Sr. Vice President of Hearthside Homes, the developer, and Dr. Paul Lagenwalther of SRS, Inc., representing the project archaeologist. As you indicated to me, there was "no modern forensic evidence" at the site and that you "have reason to believe that the remains were Native American," and so reported to the Native American Heritage Commission in compliance with California Health & Safety Code Section 7050.5.

On the matter of reviewing how the reporting requirements for discoveries of Native American human remains are handled by the Orange County Sheriff's Office, please accept our willingness to participate with the Office in evaluating the Hearthside Homes experience and making suggestions for future such discoveries. We would look forward to working with the Department in a cooperative manner.

Sincerely,

Dave Singleton
Program Analyst
Native American Heritage Commission

ATTACHMENT NO. 5.218

Request for Assistance Regarding Native American Human Remains

New Discovery	Update of Previous Discovery	X	Update Date	Date of Computer Input
Document Filed:	Month	January	Year	2002
County	Orange		Coroner Case Number	No Further Action
Site Number	ORA-83		Date of Call	
Name			Phone Number	
Address			Organization Type	
Organization				
Date of Find:	Month	January	Date	16
			Year	2001
Description			Time	Burial No.
18 Body Parts, unknown number of Individuals			Associated Grave Goods	
Project Name	Bolsa Chica		Ownership	
Lead Agency			City	
Project Location				
Developer/Property Owner				
Phone Number monitor	Joyce Perry		Monitor Phone Number	
MLD	David Belardes		Date MLD Contacted	
MLD Phone Number		Remains Being Held		
Final Disposition		Disposition Date		
Comments	Joyce Perry called with an update.			

Request for Assistance Regarding Native American Human Remains

New Discovery	Update of Previous Discovery	Update Date	Date of Computer Input
Document Filed:	Month	May	Year 2000
County	Orange		No Further Action
Site Number	ORA-83		Coroner Case Number
			Date of Call
Name			Phone Number
Address			Organization Type
Organization			
Date of Find:	Month	May	Date
			Year 2000
			Time
			Burial No.
Description			Associated Grave Goods
1 burial			
Project Name	Bolsa Chica		Ownership
Lead Agency			
Project Location			City
Developer/ Property Owner			
Phone Number monitor			Monitor Phone Number
MLD	David Belardes		Date MLD Contacted
MLD Phone Number		Remains Being Held	
Final Disposition		Disposition Date	
Comments			

ATTACHMENT NO. 5-220

Request for Assistance Regarding Native American Human Remains


New Discovery	Update of Previous Discovery		Update Date	Date of Computer Input	
	Document Filed:	Month	May	Year	2000
					No Futher Action
County	Orange			Coroner Case Number	
Site Number	ORA-83			Date of Call	
Name				Phone Number	
Address				Organization Type	
Organization					
Date of Find:	Month	May	Date	Year	2000
					Time
Description				Burial No.	
Update - femur & long Bone				Associated Grave Goods	
Project Name					
Bolsa Chica				Ownership	
Lead Agency					
Project Location				City	
Developer/ Property Owner					
Phone Number monitor				Monitor Phone Number	
MLD				Date MLD Contacted	
David Belardes					
MLD Phone Number				Remains Being Held	
Final Disposition				Disposition Date	
Comments					

Request for Assistance Regarding Native American Human Remains

New Discovery	X	Update of Previous Discovery	Update Date	Date of Computer Input	7/26/2004
Document Filed:	Month	Year	No Further Action		
County	Orange	Coroner Case Number			
Site Number	CA-ORA-83	Date of Call	8/4/1999		
Name	Deputy K. Murine?			Phone Number	
Address				Organization Type	
Organization				Coroner	
Date of Find:	Month	August	Date	3	Year 1999
					Time
					Burial No.
Description	Associated Grave Goods				
Skull and tooth fragments					
Project Name	Southwest Bolsa Chica Mesa			Ownership	
Lead Agency				Private	
Project Location	Bolsa Chica			City	
				Huntington Beach	
Developer/Property Owner	SRS Project, Robert Beer				
Phone Number	909-767-2555 / 767-9805				
monitor				Monitor Phone Number	
MLD	David Belardes			Date MLD Contacted	
MLD Phone Number				Remains Being Held SRS Lab	
Final Disposition				Disposition Date	
Comments	On going project Bolsa Chica (Cole Co.) Mesa.				
	Record discovered in Bolsa Chica file July 2004.				

ATTACHMENT NO. 5.222

BOLSA CHICA

From: Dave Singleton <ds_nahc@pacbell.net>
Subject: Fwd: Bolsa Chica Mesa
Date: May 12, 2008 6:52:19 AM PDT
To: wileycoyote@srscorp.net
 1 Attachment, 162 KB

May 12, 2008

TO: Dr. Nancy Anastasia Wiley, Ph.D.

RE: Bolsa Chica Discovery of Remains

Good Morning Nancy:

Attached is a 1999 report from the Orange County Coroner's Office. Also, a NAHC report of eight discovered remains in 2006. Do you know the circumstances surrounding these discoveries. Were they on County or Coastal Commission jurisdiction? Were they the result of construction or archaeological grading. We appreciate your time in considering these issues.

Best regards,

Dave Singleton
Program Analyst
Native American Heritage Commission
915 Capitol Mall, Room 34
Sacramento, CA 95814
(916) 653-6251
(760) 801-8011 - cell

Begin forwarded message:

From: "G. David Singleton" <gdavidsingle@rocketmail.com>
Date: May 11, 2008 7:06:03 PM PDT
To: Dave Singleton <ds_nahc@pacbell.net>
Subject: Bolsa Chica Mesa



Bolsa Chica...t.pdf (162 KB)

ATTACHMENT NO. 5.223

Judy Myers Suchey, Ph.D.

FORENSIC ANTHROPOLOGIST

CONSULTANT TO THE MEDICAL EXAMINER/CORONER
FOR THE COUNTIES OF LOS ANGELES, ORANGE, RIVERSIDE AND SAN BERNARDINO

August 5, 1999

PROFESSOR
DEPARTMENT OF ANTHROPOLOGY
CALIFORNIA STATE UNIVERSITY
P.O. BOX 2845
FULLERTON, CA 92631-4846PHONES 714-524-1285
714-773-3795
FAX 714-524-5190
CEEPER 714-295-0531In situ examination of skeletal remains at
construction site (Orange County Coroner's Office
99-05178ME)Official Records of the Coroner's Office
DO NOT REPRODUCE

On August 4, I went to the construction site at the intersection of Bolsa Chica and Los Patos in Huntington Beach. At this location skeletal fragments were found underneath a Native American artifact in bulldozed area where the construction of condominiums is planned. The archaeological company involved in the mitigation is SRS (Scientific Resource Surveys). This location is near the former archaeological site CA-Ora-83 where I did an in situ examination of remains on October 12, 1993. I do not have a Coroner's case number in my file for that visitation but I have a one page report with attachments.

At the site on August 4 I talked with Lisa Woodward (of SRS) 909-323-9340 who explained to me the situation surrounding the skeletal fragments. I identified them as human (based on the left orbit--largely zygomatic and incisor tooth); prehistoric (based on severe dental attrition on the tooth, coloration and mineralization of bone). The remains are extremely fragmentary--consisting of only one tooth and multiple small fragments of cranium. The remains are consistent with being from a single individual. Woodward told me that Robert Beer (President of the company 909-767-2555) had already phoned the Native American Heritage Commission with a tentative diagnosis.

I indicated that the Orange County Coroner would be making official notification. David Belardes (Native American) was at the site at the time of my visit. I instructed Lisa Woodward to call the Orange County Coroner again if additional human remains are found in the area. The construction is over so it is not likely that there will be additional finds. The plan was to remove the area surrounding the remains and keep them in the lab of SRS. The remains would be held until the construction had been totally finalized and then the remains could be reburied.

If the Coroner has further instructions, Lisa Woodward can be notified. If new calls come in regarding remains I suggest that the investigator (Meador) speak with me on the phone and we can make suggestions as to the best manner to handle the situation. The nearby site Ora-83 was a highly controversial site where multiple burials of great antiquity became the subject of a dramatic controversy between environmentalists and developers. To avoid a re-play of this drama, the Coroner needs to keep track of the number of burials being found at this location. Hopefully, the one observed on August 4 will be the only one.

Photographs were taken to document the evidence.

FURTHER ACTION NEEDED:

Native American Heritage Commission should be notified by Inv. Meador or other Coroner personnel.

Certified to be a true copy of original report
on file in Orange County Coroner's Office.
MICHAEL S. CARONA, SHERIFF-CORONER

BY

Deputy

ATTACHMENT NO. 5.224

05/07/2008 23:53

6262861262

GABRIELINO TONGVA

PAGE 04/04

009 P01

J. M. Luchey, M.D.
FORENSIC ANTHROPOLOGIST

CONSULTANT TO THE MEDICAL EXAMINER/CORONER
FOR THE COUNTIES OF LOS ANGELES, ORANGE, RIVERSIDE AND SAN BERNARDINO

August 10, 1999

J. M. Luchey

PROFESSOR
DEPARTMENT OF ANTHROPOLOGY
CALIFORNIA STATE UNIVERSITY
P.O. BOX 9000
FULLERTON, CA 92634-8844

Further communication regarding 99-05178ME

PHONES 714-626-1265
714-772-3706
FAX 714-626-6150
RECEIVER 714-228-0491

I learned from a phone call with Joyce Perry that SRS and the Native Americans had reburied the skeletal remains reported in my report of August 5, 1999 (site visitation on August 4, 1999). The agreement at the site was that SRS was to hold the remains in their lab until the end of the site construction. It was also understood that if there was any further discussion of any matter that the investigator on the case (Meador) was to be called. Their reburial was clearly a violation of the agreement at the site visitation.

I recommend that in the future when there are any skeletal remains found by SRS that the Coroner officially supervise or take control of the excavation and remove the remains, taking them to the Coroner facility until an appropriate time.

ATTACHMENT NO. 5.225

Request for Assistance Regarding Native American Human Remains

New Discovery	X	Update of Previous Discovery	Update Date	Date of Computer Input
Document Filed	Month	Year	No Further Action	
County	Orange	Coroner Case Number		
Site Number	CA-ORA-83	Date of Call	6/22/2006	
Name	Tiffany Williams		Phone Number (714) 647-7411	
Address			Organization Type	
Organization			Coroner	
Date of Find:	Month	June	Date	22
			Year	2003
			Time	
Description	Burial No.			
8 Burials	Associated Grave Goods			
Project Name	Hearthside Homes		Ownership	
Lead Agency			Private	
Project Location	Bolsa Chica		City	
Developer/Property Owner			Huntington Beach	
Phone Number monitor	Joyce Perry		Monitor Phone Number	
MLD	David Belardes, Cindi Alvitre		Date MLD Contacted	
			6/22/2006	
MLD Phone Number	(949) 493-0959		Remains Being Held	
Final Disposition			Disposition Date	
Comments	Archaeologists on site are Nancy Wiley and Paul Langenwaller. Discussed with Joyce Perry 6/23/2006 and received update on the finds.			

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
 SACRAMENTO, CA 95814
 (916) 658-6251
 Fax (916) 657-5390
 Web Site www.nahc.ca.gov
 e-mail: ds_nahc@pacbell.net



April 4, 2008

The Hon. Anthony Morales, Chairman
 Gabrieleno/Tongva San Gabriel Band of Mission Indians
 P.O. Box 693
 San Gabriel, CA 91778

Sent by FAX to: 858-694-3373

Number of pages: 3

Re: My draft Staff Report and Professional Assessment Regarding the Hearthside Homes Project at Bolsa Chica Mesa Known as Brightwater Homes, a 349 Single Homes Development, Focusing on the CA-ORA-83 Issues only. Site is Adjacent to the City of Huntington Beach, Orange County, California

Dear Chairman:

I am writing you as the Most Likely Descendant (MLD), one of two assigned to the above reference project, in response to your questions about Special Condition #23 of the California Coastal Commission Permit Application No. 5-05-020. The NAHC is preparing another and an official response to concerns raised by Teresa Henry, Coastal Commission District Manager; however, it may not be submitted in a timely manner. That is why I am addressing answers to concerns raised by you. My comments and response are as follows:

1. Issue of Reburial of the Remains and all Associated Grave Goods to Occur after Documentation is Complete: This issue is stated as a requirement on page 6 of the CCC Special Condition #23. The Native American Heritage Commission (NAHC) supports this requirement. We understand from the landowner's contract archaeologist, Nancy Anastasia Wiley, Ph.D., President of Scientific Resource Surveys, Inc. (SRS) that much of the documentation has been done but is NOT COMPLETE. We support its completion in this manner: a) priority documentation be given to those items that are generally accepted 'associated grave goods,' therefore, the *cogged stones, charmstones, discoids and beads* be documented prior to reburial. b) that sufficient time be allowed for proper preparation of the burials (e.g. wrapped in white sheets or if children, sheets of other colors) as the archaeologist (e.g. SRS) outlined in the January 19, 2007 memorandum to Hearthside Homes Senior Vice President (please see Exhibit A). The reburial with associated grave goods is customary for both the Gabrieleno Tongva and Juaneno people (note, from the Handbook of North American Indians, vol. 8: California; Robert F. Heizer, volume editor; Smithsonian Institution; Washington, D.C., 1978): "Here the dead were buried with artifacts used during life." (page 545) Also, apparently, both MLDs and the archaeologist are in agreement that the balance of more than 100,000 artifacts, excavated at the ORA-83 and the project site, can be sorted and documented after the reburials take place on a power-sort way; that is only a personal belief.

ATTACHMENT NO. 5.227

the material in the 2,000 boxes and bags of remains would be sorted and documented.

2. Issue of What are Associated Grave Goods: It is customary for the NAHC to accept the determination and definition of 'associated grave goods' as presented by California Native American tribes. With regard to the more than 400 cogged stones found at ORA-83, archaeologists are not certain what they represent. Yet they are a spectacular discovery and, in the opinion shared with the NAHC on April 2, 2008, of Dr. Wiley, "there is no other such deposit of cogged stones anywhere in the world." What is acknowledged is that 22 were found in one house pit, meaning both the burial therein was a person of perhaps spiritual or political significance and the use of cogged stones at the site must have meant something very special. The NAHC does have access to photos of that house pit site as well as other house pit sites that contained cogged stones and locations where concentrated bone fragments were discovered at scattered sites that also included cogged stones. Now, the NAHC feels there is general agreement from the project archaeologist and between both Most Likely Descendants (MLDs) that the priority 'associated grave goods' includes *cogged stones, charmstones, discoids and beads*. There is little disagreement, in our view about these. There may be some disagreement that some of cogged stones and other items, discovered at a location other than a burial, are not 'associated grave goods; this would be a matter for mediation, a role requested by one of the MLDs and accepted by the NAHC and the other MLD. Also, the California 3rd Appellate Court Decision in the case of People versus Van Horn (218 Cal.App.3rd 1378; 267 CalRptr. 804 [Mar. 1990] may strengthen the right of culturally-affiliated Native American tribes as to who has the authority over both remains and associated grave goods.

3. Issue: Is the ORA-83 a sacred cemetery? As a junior staff person at the NAHC, I believe it is. This is based on the lack of information provided to the NAHC, the Orange County Sheriff-Coroner, and apparently the MLDs about when remains were discovered. When the NAHC requested that information, the project archaeologist responded by saying that she "...cannot prepare a chronology...." (Please see Exhibit "D") Furthermore in the project archaeologist's memorandum to the company, dated January 17, 2007, it refers to a February 3, 2007 ceremony and assumed reburial (please see Exhibit "A") this action would be after the law extending the definition of a cemetery and a place with "multiple burials" to private land. Formerly, the definition of a cemetery as comprising six or more burials was limited to public cemeteries; now, AB 2641 extends the definition among other provisions. It amends Public Resources Code §5097.98 that says (a) Descendants shall complete their inspection and make recommendations or preferences for treatment (to the landowner) within 48 hours; and (b) preferences for treatment shall include all reasonable options including associated items (e.g. grave goods)." Therefore, considering the 87 burials from ORA-83, whose chronology is unknown or certainly unclear, and given the number of burials at this project site, how can one say that it is not a sacred cemetery? The Native American Heritage Commission determined a University of California, San Diego site, with 30 discovered burials and perhaps fewer artifacts and grave goods a "sanctified cemetery" at their meeting of March 12, 2008 in San Diego County.

4. Territorial Issues: It is generally accepted that the cogged stones are found in the coastal areas extending from Ventura County in California to parts of Baja California Norte, of the Republic of Mexico. Then, they are found in coastal areas of Central Chile in South America. Also, it is clear from the literature on

the cogged stones that they were very special items to the Juanenō as well as the Gabrieleno Tongva people. The Handbook of North American Indians, vol. 8, referenced above, includes the Bolsa Chica project site within the Gabrieleno Tongva territory. Lowell Bean, one of California's most respected scholars, edited the article on the Gabrieleno Tongva. The 1925 map of the Juanenō territory, prepared by Alfred Louis Kroeber, eminent ethnologist, shows the Juanenō territory below Aliso Creek in present-day Orange County. I attach copies of those maps as Exhibit "C." However, the NAHC accepts that the Bolsa Chica project area is a 'shared area' between the two tribal groups; both groups participate in an Annual Pilgrimage that starts at the ancient village of Panhe in northern San Diego County, includes Bolsa Chica and ends at Puvungna on the campus of California State University, Long Beach in Los Angeles County. Therefore, the NAHC feels that both have standing for their recommendations regarding the ORA-83, Bolsa Chica site, its discovery and treatment of the Native American human remains and the associated grave goods.

If you have any questions, please contact me at (916) 653-6251.

Sincerely,

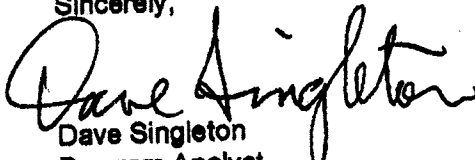

Dave Singleton
Program Analyst

EXHIBIT "A"
Bolsa
Chica

January 19, 2007

TO: Ed Mountford, Brian Bartlett- Hearthside Homes
[cc: Joyce Perry, David Belardes, Robert Dorame, Anthony Morales]

FROM: Ted and Nancy Wiley- SRS, Inc.
[cc: Jeff and Joanne Couch, Tracey Stopes, Paul E. Langenwalter]

RE: Reburial- Ora-85 Internments and Associated Materials

This memo provides a quick update regarding the status of our work towards the final reburial of human remains and associated grave goods on February 3, 2007.

All work is on schedule and will be finished by this Friday, January 26, 2007. Joanne is in the process of completing a comprehensive tracking sheet for the reburial of all associated materials including artifacts and sacred earth. Jeff has nearly completed the reburial map to include size of the reburial pit and a proportional layout of the Ora-85 individuals. A grid will then be laid out within the pit so that there can be an exact placement of each individual on the reburial date. By Friday, Paul Langenwalter will produce his customary burial chart listing all known characteristics of each burial and most importantly, sex and age, when possible.

Accordingly, we anticipate and request your cooperation for the following:

- 1] On Monday, January 29th, the final pit be excavated by Hearthside at the far western end of the newly designated reburial area according to the specifications of the reburial map and under the direction of Jeff Couch.
- 2] The access ramp be placed at the south end of the pit in order to leave as much area in the designated reburial area as undisturbed as possible.
- 3] On Tuesday and Wednesday, January 30th and 31st, Jeff will grid the pit and Eric and his Pacific Paving crew will haul all associated earth from behind the trailers down to the pit and place the appropriate dirt in the corresponding square in the grid.
- 4] Then on Thursday, February 1st, matrix from the sorting process will also be taken to the pit and placed in the appropriate grid squares. In this way, all materials besides the human bone and associated artifacts will already be placed in the ground at least two days prior to the Saturday reburial.
- 5] On Friday, February 2nd, Ted and I will wrap each burial with its grave goods in white cloth as requested by the Juaneno Band. Each individual will then be wrapped again in colored burlap coded to male [blue], female [red], and unknown [beige]. Children will additionally have a color separation or other designator. This coding will aid the participants in the various ceremonies in addressing the reburied individuals in a more personal manner.
- 6] On Saturday, February 3rd, Ted and I will place the Ora-85 people in the ground within their reserved space for the morning ceremony.
- 7] We have requested that the Juaneno have their ceremony first so that after their ceremony, mats and animal skins may be added to the individual wrappings as requested by the Gabrielino. There is a precedent by Signal Landmark for purchasing leather [or

1 bartlett
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state
JS

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skins] for reburial. The first reburial in the early 1990s did have these materials. This was a preference of Raymond Belardes, the first Most Likely Descendant on this project. The Gabrielino should be reimbursed for this purchase since you are paying for the white cloth requested by the Juaneno.

8] We have also had one of our people paid to pick up elders of a tribal group to attend the reburial if they cannot drive or do not have transportation. We suggest that you offer to provide compensation for one person from each tribal group to do the same.

9] Please have extra security on Saturday from sunrise to sunset.

10] Please remember that Hearthside has always been responsible for filling in the pit at day's end with both the removed earth and placing in the pit a chain link fencing barrier.

As an aside, I further understand from my staff that there has been some discussion about reburying all of the artifacts from the site at the same time as the reburial. SRS has an obligation to document any artifacts to be reburied as mandated by County and Coastal Commission Guidelines and State law. All artifacts associated with the burials will be documented beforehand and then reburied on Saturday with the appropriate individual. The remaining site artifacts cannot be reburied at that time because they have not been processed or documented yet, since all efforts have been focused on burial-related materials only. In addition, Cal. State Los Angeles has an extensive collection of materials removed from this site by Prof. Hal Eberhart prior to ARI, Westec or SRS's work, and ARI's artifacts were given to PCAS when Marie Cottrell dissolved that non-profit corporation in the early 1980's. The Native Americans would have to request that these artifacts be returned from Cal State LA and PCAS under the Repatriation Act before a reburial of artifacts could occur. There is, however, an adequate area designated by Hearthside for Ora-85 and Ora-83 reburials for future repatriation of additional materials. The Ora-85 non-burial artifacts, therefore, will not be reburied on February 3rd but legally this matter has no bearing on the repatriation of human remains and associated grave goods from that site.

This is a brief outline of the anticipated activities for next week. Ted and I will arrive in Orange County on Monday, January 29th at 10:00 pm and will be on-site starting late morning on Tuesday. If any party has questions or requests changes to this schedule please call me at 907-723-1896; e-mail me at wileycovote@aptalaska.net; or talk with me in person on Tuesday. We look forward to a respectful and successful reburial on February 3rd.

Important Southern California Indian villages relative to modern cities. Major Indian Villages

Map showing the Pacific Ocean, major rivers (San Diego, San Gabriel, Los Angeles, San Bernardino, Santa Ana, San Joaquin, Sacramento), and numerous Indian villages and missions. A compass rose indicates North, South, East, and West. The map is titled "Important Southern California Indian villages relative to modern cities. Major Indian Villages".

NATIVE AMERICAN HERITAGE COMMISSION

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April 8, 2008

Theresa Henry
The California Coastal Commission
South Coast Area Office
200 Oceangate Suite 1000
Long Beach CA 908024302
Fax (562) 590 5084

Re: Brightwater-Bolsa Chica Project

Dear Ms. Henry:

The Native American Heritage Commission (NAHC) is informed by the NAHC appointed Most Likely Descendent, Anthony Morales, that Hearthside Homes has proposed reburial of 87 human remains from ORA-83 on April 21, 2008. The NAHC is also informed that documentation on the associated grave goods has been substantially done but is not complete. These associated grave goods include cogged stones, charm stones, beads and discoidals and other items.

The NAHC supports the Most Likely Descendants' request that documentation on all associated grave goods be completed before reburial and that all grave goods be reburied with remains. In this regard, the NAHC notes that the Cultural Resources Grading Monitoring Plan at page 6 dated 12-12-05 adopted pursuant to Special Condition No. 23, of the Coastal Permit indicates that human remains and any "artifacts associated with human remains" will be reburied after documentation is complete. It is also noted that the above 12-12-05 Monitoring Plan at page 7 also specifies that the location of the artifacts (associated with human remains) in the ground in relationship to the human remains will be documented so that when the human remains are reburied, the artifacts can be placed in the same relationship to the remains as they were when discovered. The Monitoring Plan also specifies that the artifacts (associated grave goods) will be kept with the human remains and examined and documented, and will be reburied together with the human remains.

The NAHC notes that based on information received from the project archaeologist, 22 cogged stones were discovered in a large burial pit. These are clearly associated with the human remains. The NAHC also notes that there are approximately 4217 artifacts that were found on ORA-83 including numerous cogged stones (over 400 on the project) and the NAHC is informed that only artifacts associated with remains are being processed at

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this time. Based on information received from the project archaeologist, the NAHC believes that there are numerous other artifacts that must be analyzed and documented and that many of these maybe determined to be artifacts associated with human remains and should be reburied with remains. NAHC is aware of information that indicates there were numerous bone clusters where cogged stones were present, which suggests these features are burial areas.

As you are aware Public Resources Code 5097.98 requires that the recommendation of the Most Likely Descendant with regard to treatment of remains and associated items be given great deference by the land owner and that if an agreement as to disposition cannot be reached, the law mandates that the remains and associated items be reburied on the property in a dignified manner not subject to subsurface disturbance. The NAHC strongly supports the recommendations of the Most Likely Descendants in determining which artifacts are artifacts associated with human remains and that otherwise pertain to the burial. The Most Likely Descendent has specialized knowledge of the local tribal community burial practices and beliefs.

The NAHC is informed that both Most Likely Descendants support waiting 6 months for the first reburial until major features that are clearly associated with individual burials can be studied and documentation on these completed. The NAHC supports this disposition.

The NAHC remains concerned about the Brightwater -Bolsa Chica Project. Although the NAHC has been in contact with the project archaeologist and has received a January 2007 and a November 5, 2008 status report, as of this date the NAHC has not received a promised map from the project archaeologist showing burials, house pits, photos and features. The NAHC has not received a report clearly showing the dates, locations and details of burial discoveries. At this point based on information available and the large number of burials recovered and associated items, it appears that the whole area may be a burial ground. Southern California Indians created and used discrete areas as cemeteries. The NAHC understands that the Coastal Commission will be reviewing its permit for the Brightwater Project. The NAHC suggests that the Coastal Commission consider requiring some sort of guarantee or performance bond in order to assure that all required reports are provided on a timely basis and that documentation is completed and reburials of remains and artifacts occur as agreed.

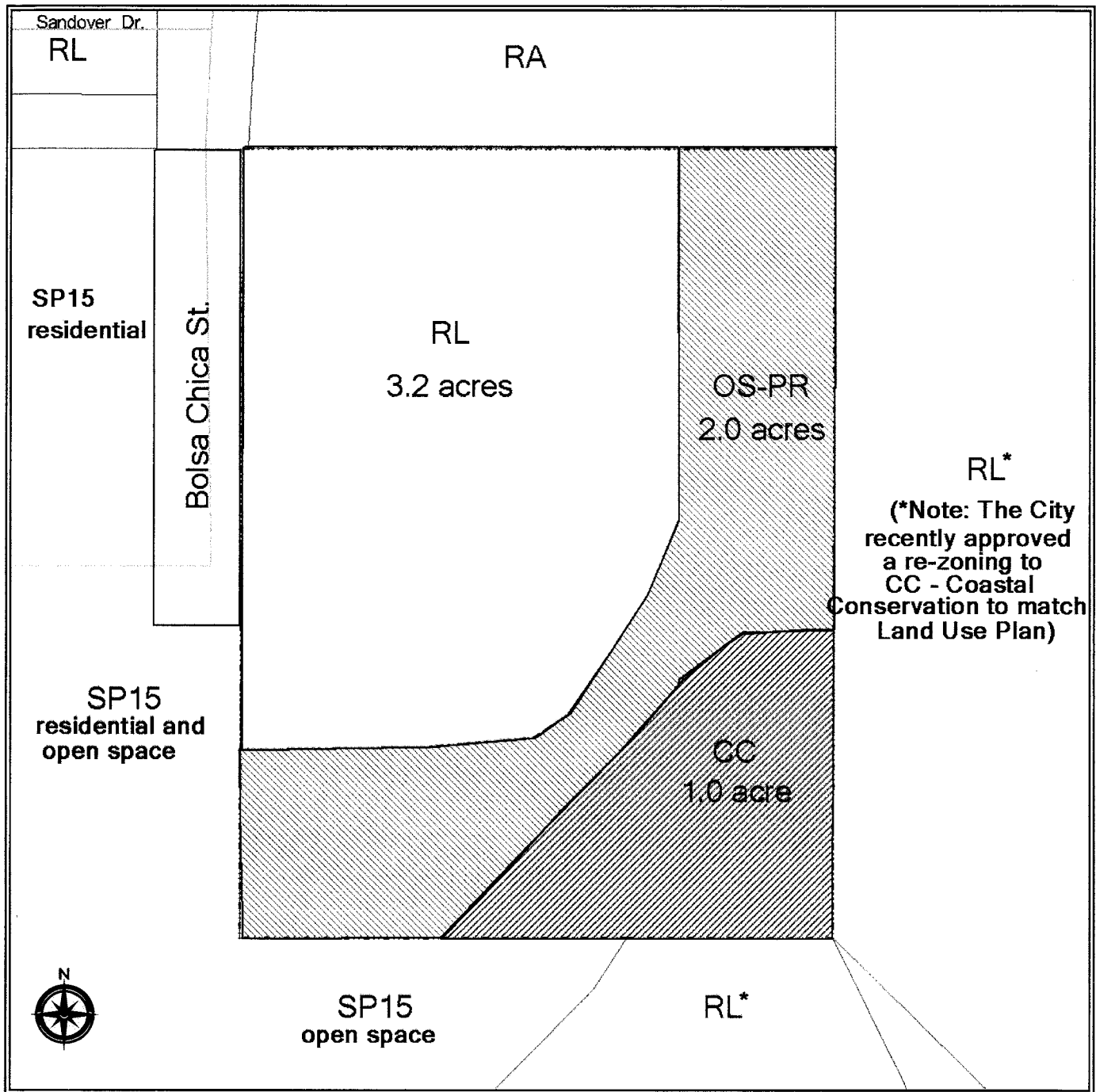
Sincerely,

original signature on file

Larry Myers, Executive Secretary NAHC

Cc: Bill Mungry, Chairman NAHC
Anthony Madrigal, General Counsel NAHC
Dave Singleton, NAHC
Susan Hori, Counsel Brightwater Homes
Nancy Anastasia Wiley, Project Archaeologist

PROPOSED PRE-ZONING DESIGNATIONS



Legend

RL – Residential Low Density
OS-PR – Open Space-Parks and Recreation
CC – Coastal Conservation
RA – Residential Agricultural
SP15 – Specific Plan 15 (Brightwater)